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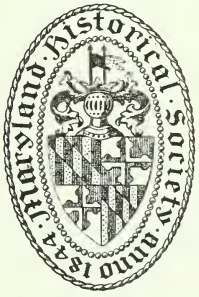

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BALTIMORE

1949

University of Florida
1853

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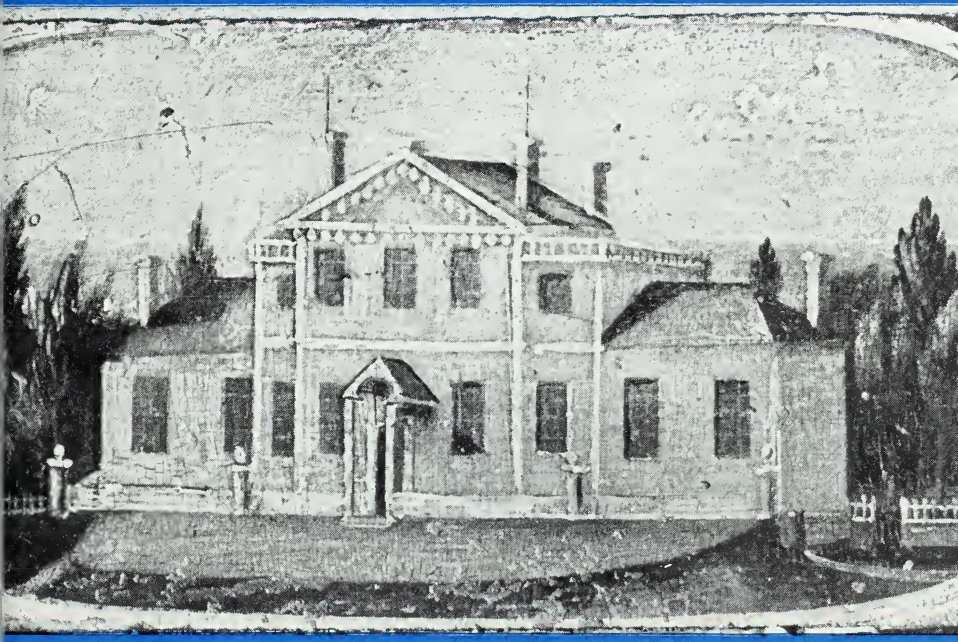

Willow Brook, Country Seat of John Donnell, Built 1799 and Still Standing
Painted panel from Sheraton chair back, circa 1805

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James W. Foster, Editor
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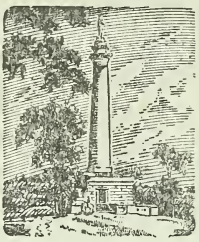

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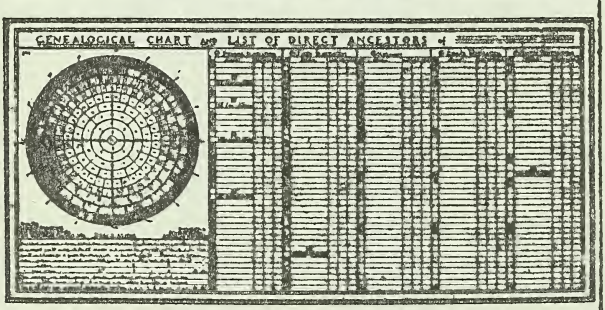

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MARYLAND HISTORICAL MAGAZINE

A Quarterly

Volume XLIV MARCH, 1949 Number 1

LETTERS OF WILLIAM CARMICHAEL TO JOHN CADWALADER, 1777.[1]

Edited by HARRY AMMON

WHEN the Revolution began the Continental Congress was hard pressed to find reliable men who were capable of furthering its diplomatic objectives in Europe. Of the Americans in Europe at the time one of the few who possessed the necessary qualifications was William Carmichael of Queen Anne's County. From 1776 until shortly before his death in Madrid in 1795 he devoted himself to the service of the Continental Congress and then of the United States. Receiving little recognition and advancement in his own time, Carmichael's posthumous fame has been perpetuated inadequately. His own countrymen knew him but slightly during his lifetime and we today find it difficult to

[1] These letters are published through the generosity of their present owner, Mr. Thomas Francis Cadwalader, great great grandson of the original recipient, General John Cadwalader.

know him better for the details of his life before 1776 still remain obscure.[2]

William Carmichael's father, who bore the same name, was born in Scotland in 1692 and settled with his brother Walter in Queen Anne's County about 1720. The elder Carmichael soon became prominent in Maryland, holding a commission as justice of the peace in 1737 and 1738 and again from 1756 to 1766. He was twice married, first to a Miss Holt by whom he had five children, among them William, and secondly, to Anne Brooke who bore him three children. The second marriage brought considerable property to William Carmichael, senior, for Anne Brooke was one of the principal legatees of the wealthy Richard Bennett. The elder Carmichael died in 1769 leaving a substantial estate. The younger William received from his father a half share in the "Park," a 500 acre tract in Queen Anne's County. William Carmichael substantially augmented his property, when about 1764 he married Rebecca Sterling, daughter of Reverend James Sterling of St. Paul's Parish, Kent County.[3] It is probable that his wife died within a few years after their marriage.

Of his education and life in America nothing is known. However, he must have mingled freely with the leading families of Maryland for he was on familiar terms not only with John Cadwalader, who owned an extensive tract in Kent County, Maryland, but also with the Carrolls of Doughoregan and the Lloyds of Wye.[4] Apparently William Carmichael took up permanent residence in England around 1770. After attending the University of Edinburgh, he settled in London where he was leading a gay life when the Revolution commenced. Up until 1776 William Carmichael seems to have been content with the life of a gentleman of means who preferred the social and cultural surroundings

[2] Jefferson wrote to Madison, January 30, 1787: "Mr. Carmichael is I think very little known in America," quoted in Samuel Gwynn Coe, "The Mission of William Carmichael to Spain," in *Johns Hopkins University Studies in Historical and Political Science*, ser. XLVI (1928), pp. 1-3.

[3] This information is based in part upon material on Carmichael collected by Dr. Christopher Johnston and now in the possession of the Maryland Historical Society; Lawrence C. Wroth, "James Sterling: Poet, Priest and Prophet of Empire," *Proceedings of the American Antiquarian Society*, XLI (1931), 66, fn. 1; will of William Carmichael, Dec. 8, 1768, Wills 37, f. 128, Hall of Records, Annapolis; Kent County Deed DD No. 4, f. 164, Hall of Records, Annapolis.

[4] See Carmichael's letter to Carroll printed in Elizabeth S. Kite, "Revolutionary Correspondence of Charles Carroll of Carrollton with William Carmichael," *Records of the American Catholic Historical Society*, XLII (1931), 1-11.

of London to those of his native state. Although he was an expatriate, Carmichael remained a patriot, and early in 1776 he prepared to return to America to offer his services to the revolutionary forces. This plan was not immediately executed for he fell ill in Paris on his way to America with dispatches from Arthur Lee, the Agent of the Continental Congress in England. While he was in Paris, Silas Deane, whom the Continental Congress had made commissioner to France, arrived and Carmichael volunteered his help.[5]

This offer was at once accepted and until February, 1778, when he sailed for America, Carmichael served as secretary to Deane and the other Commissioners. They found him a valuable associate and relied extensively upon him. His wide acquaintance with prominent men and his familiarity with continental social usages gave him an advantage which not all the Commissioners possessed. Late in 1776 Carmichael was sent on a special mission to Holland and Prussia and in the latter he was notably successful in winning the friendship of Baron von Schulenberg, one of Frederick the Great's principal ministers. As a result of this contact he was able to interest the Prussian government in a commercial agreement with the colonies. This treaty was never drawn up, for Arthur Lee who was sent to complete Carmichael's work failed to maintain the friendly atmosphere created by his predecessor and the treaty project fell through.[6]

After Carmichael returned from Prussia he remained in Paris for the following year. The letters which are printed below were all written during this period and provide an interesting commentary upon the labors and hopes of the American Commissioners in the critical year of 1777. The news of the day as reported by Carmichael to his friend General John Cadwalader has a freshness and an excited immediacy which can still be felt today. Although much of the news which he reported, as well as that which came from America, was bad, the optimistic quality of his outlook remained undiminished. The constant hopefulness and the indomitable perseverance which are reflected in these letters were the common property of the American Commissioners, who continued to persist in spite of what seemed to be overwhelming

[5] Coe, "Mission of William Carmichael," pp. 1-3.
[6] *Ibid.*, pp. 5-7.

odds. Their persistence was eventually rewarded in February, 1778, when France at long last signed a treaty of alliance. Carmichael did not mention in his letters to Cadwalader one interesting aspect of the life of the American Commissioners, namely, the mutual distrust and suspicion with which they surrounded themselves. Carmichael was inevitably involved in these unfortunate bickerings and especially won the hatred of the overly distrustful Arthur Lee.

Not only do these letters present an interesting and frank report upon the status of France's policy toward England's rebellious colonies, but they also illuminate several aspects of Carmichael's character. From these letters we receive the impression of a lively and agile mind, not over disciplined yet possessed of a critical perception of character and an awareness of fact as distinct from gossip. Thomas Jefferson, who was minister to France in 1787, gave a description of Carmichael which corresponds closely to the impression given by the letters themselves:

> I never saw . . . [Mr. Carmichael] and while I was in Congress formed rather a disadvantageous idea of him. His letters, received then, showed him vain and more attentive to ceremony and etiquette than we suppose men of sense should be. I have now a constant correspondence with him and find him a little hypochondriac and discontented. He professes very good understandings though not of the first order. I have had great opportunities of searching into his character and have availed myself of it. Many persons of different nations coming from Madrid to Paris, all speak of him as in high esteem and I think it certain that he has more of the Count de Florida Blanca's friendship than any diplomatic character at that court. As long as this minister is in office Carmichael can do more than any other person who could be sent there.[7]

It is clear from these letters that Carmichael knew the "best" people and associated with them freely and easily. He was on intimate terms with the Marquis de Lafayette and apparently he was responsible for Lafayette's decision to come to America.[8] Undoubtedly his attention to ceremony and etiquette, which troubled his American contemporaries, was an invaluable asset in his social success in the artificial society of eighteenth century France. Car-

[7] Jefferson to James Madison, January 30, 1787, quoted in *Ibid.*, p. 107.

[8] *Ibid.*, pp. 5-6; when Lafayette visited America in 1824 he is reported to have said that it was Carmichael who "first received the secret vows of my engagement in the American cause," quoted in Louis Gottschalk, *Lafayette Comes to America* (University of Chicago Press, 1935), p. 162.

michael's ability to mingle in aristocratic circles on a familiar footing again served him well during the decade he spent as chargé in Spain. His personable manners, together with the influence of Lafayette, gained him an entrée to the Spanish court which the Minister, John Jay, had been unable to achieve.

In 1778 he returned to America. In spite of his prolonged absence his connections were such that in November he was sent by Maryland to the Continental Congress where he served for a year. While a member of the Continental Congress Carmichael was called upon to testify in the investigation of the unsavory Lee-Deane affair. Although Carmichael does not seem to have been unfriendly to Deane his evidence merely added to the general mystery without serving to clear or convict Deane.[9] In September, 1779, the Continental Congress elected him secretary of legation to accompany the Minister to Spain, John Jay.

The Spanish portion of Carmichael's career has been fully discussed in Samuel Gwynn Coe's monograph. Jay remained in Spain until 1782 and when he left Carmichael was made chargé d'affaires, a post he retained until 1794. During the fourteen years he spent in Spain Carmichael rendered his most valuable services to his country. Although he conducted no important negotiations he created an atmosphere of good-will and friendliness which was of great value to Thomas Pinckney, who arrived in Spain as Minister in 1794. Carmichael's success in Spain was due to a considerable extent to his ability to move freely in the best circles of society. He became an intimate friend of Florida Blanca who was the prime minister until 1793.

After 1790 Carmichael's health began to fail and he requested that he be recalled. His request was finally granted in 1794, but he never returned to America, for he became seriously ill shortly after receiving his recall and died in Madrid, Feb. 9, 1795. Carmichael was buried in Madrid, but his widow, Antonia Reynon Carmichael, came to Maryland and established a residence with her daughter near Chestertown.[10]

General John Cadwalader, the recipient of the letters, with whom Carmichael seems to have been upon intimate terms, was a wealthy Philadelphia merchant who also owned an extensive

[9] Edmund Cody Burnett, *The Continental Congress* (New York, 1941), pp. 361-3.

[10] Coe, "Mission of William Carmichael," *passim.*

estate in Kent County, Maryland. He held the rank of brigadier-general in the Pennsylvania militia and saw active service in the major campaigns of 1777. Cadwalader distinguished himself during the winter of 1777-1778 as an ardent friend of Washington during the Conway Cabal, and challenged General Conway to a duel in which the latter was wounded severely. After 1778 Cadwalader retired from active service and resided on his estate in Kent County. From 1780 to 1784 he served in the Maryland legislature. He died at the age of forty-four in 1786.[11]

Dear Sir

I have drawn upon you since my residence here in favor of several gallant French men, who came in search of Glory or Death in your part of the world—and how do you think I mean to repay you, by introducing to your *particular* freindship the bearers The Marquis de La Fayet & the Baron de Kalb.[12] The former the most amiable, as well as most distinguishd for family fortune & Connections in this Kingdom & the Latter recommended to Mr Deane by the Marshal Du de Broglie & the Marshal de Maillebois as a cool experiencd and brave officer [13]——I beg you to make these Gentlemen known to the General Officers & the former as an example, to any young Gentlemen, which you indeed have already set them, of what *they* ought to do, when a young stranger of such distinguishd rank with a fortune of at least 15000 £ Ster^{lng} p^{r}. Ann^{m}.—quits all the pleasures that these Circumstances in the Bosom of a young & Beautiful wife could afford him to seek Glory & to serve ags^{t}. his Country Enemies—Dick Loyd was well last week I am endeavoring to [torn] him from England at least [14]—My former Letters will have informd you that I left it at the desire of Mr Lee & others to render what little services I could here, previous to Mr Deanes arrival Since which I have been constantly employd without any gratification whatever but fulfilling

[11] Edmund Kimball Alden, "John Cadwalader," *Dictionary of American Biography* (New York, 1928-1944), III, 378.

[12] This letter was written the day Lafayette secretly left Paris accompanied by the Baron de Kalb. As a result of various delays it was not until over a month later on April 30, 1777 that Lafayette and his companions sailed for America on board the *Victoire* which arrived at Charleston June 13, 1777. Carmichael was one of the very few who knew of this secret departure. Gottschalk, *Lafayette Comes to America, passim.*

[13] The duc de Broglie and the compte de Maillebois were outstanding military figures at the Court of Louis XVI.

[14] "Dick Loyd" was Richard Bennett Lloyd (1750-1787) son of Edward Lloyd of Wye House. He was educated in England and became a captain in the Coldstream Guards. When the revolution began he resigned his commission and returned to Maryland where he remained until his death. See McHenry Howard, "Lloyd Graveyard at Wye House, Talbot County, Maryland," *Maryland Historical Magazine*, XVII (1922), 20-33. John Cadwalader's first wife was Elizabeth Lloyd, sister of Richard Bennett Lloyd.

a duty I think I owe my country.[15] I hope your testimony to these my present, but also what you know to be my past Sentiments I am Dr. Sir with the highest Esteem

Your very humble Sert

Wm. Carmichael

Paris 17th. March 1777
Two Colonels Monsr. De Lesser & Valfort
are particularly recommended to me & I beg your notice of them [16]

Dear Sir

I had determind within myself to trouble you with no other Letters of Introduction than what I had already given but the pressing solicitations of the first people in this Kingdom have obligd me to alter that resolution —I do it with less reluctance as it is in favor of the Celebrated Count Pulaski who so gloriously sustaind the Liberties of his Countrymen, when even attackd by the three great Powers who now can dictate Laws not only to Europe but Asia [17]—We may say of him what was heretofore said of Hector, if his country could have been preservd from foreign & Domestic Tyranny it would have been by his prowess & Exertions. Sacrificing an immense fortune, rather than see his Country in Subjection, he courts Liberty (in whose support he has been so unfortunate) in another world, & I hope with better success, where I hope compassion for the misfortunes & the unabated ardor of an Heroic sufferer will prepare him a generous reception, I secure it, when I put it in your power, whose generous & feeling disposition have long made me ambitious of being thought as much your Freind as very humble sert.

Wm. Carmichael

Paris May 29th 1777
John Cadwallader Esqr.
Brigadier General in the Service of the United States of North America.

Dunkerque July 17th 1777

Dear Sir

Having finished a troublesome affair here at the desire of the Commissioners, which was to get Captn Cunningham armed from this Port in spite of the remonstrances of the English Government & the intrigues of Part of the Administration of France, I catch at the occasion which his coming Himself to America or sending there, gives of assuring you as I have done on several occasions of the pleasure I take in the reputation

[15] Silas Deane of Connecticutt was the first American agent sent to France by the Continental Congress.

[16] De Valfort and de Lesser both came to America with Lafayette in 1777, Henri Doniol, *Histoire de la participation de la France a'l'établissment des États-Unis* (Paris, 1886-1899), III, 223.

[17] Casimir Pulaski (*c.* 1748-1779), Polish patriot, arrived in Boston in July, 1777, and received a cavalry command from the Continental Congress.

you are acquiring in your Countrys Service and of intreating that I may always have a place in your esteem & remembrance.[18] To be esteemd by virtuous Citizens is an incentive to emulate them. There is no one that laments more than myself the circumstance which has lost me the earliest opportunities of following so many bright examples—The last 15 months however of my life I trust have been usefully if not brilliantly employd. The Misfortune which happened to Mr Deanes letters as well as my own last summer, is the reason my freinds & Countrymen have not sooner known my conduct & Situation, as I hope not only letters, but many evidences of it, are before this with you I will not trouble you with the repetition of circumstances which I should have never related. Had not my absence obligd me to be particular to my Freinds—If ever I felt the passion of Envy, it is when I see so many names like to be illustrious & mine not among them. I have hope however to console me, and tho' I did not start fair, I shall strive hard not to be Hindmost. But enough of Self—

I beleive I wrote you last by the Count de Pulaski, since which we have been constantly ingagd to bring on a war by setting on foot many little intrigues not only here but in England. I can not answer for the success, but the appearance is promising—Mutual ill will aggravated by mutual injury blow the coals of dissension, & this fanned by exaggerations to each Nation will bring it to a flame. To you filld with generous Ideas of the Interest of Nations, these little measures will appear surprizing—Partial interest, my Dear Sir, and not the great concern of the whole rules the greatest Part of Europe, and our good Nature or refinement often stiles that Policy which Springs from weakness or a worse motive. Perhaps a sketch of this Administration or at least of the head of it may elucidate what I have been observing—The Compte de Maurepas, who may now be said to be Prime Minister & who has been so since the present Kings accession, has the same influence on the mind of his young Master, as it is generally allowed, L^{d} Bute had on that of George the 3rd of Great Britain [19]—The Latter however had Ideas which corresponding with those his Tutor had imbibd from a long succession of Family prejudices, made him an active coadjutor as well as instrument in the hands of his favorite. The King of this country is a mere automaton if we may beleive even the circle which surrounds him, to which the Compte de Maurepas gives motion—You may judge what these motions are in the hands of an old

[18] Gustavus Conyngham (*c.* 1749-1819), Irish born American sea captain, was arrested by the French government in May, 1777, for bringing prizes into French ports. He was released at the end of June as the result of the efforts of Carmichael and the Commissioners. He was promptly given another ship, the *Revenge*. See Gardner W. Allen, *A Naval History of the American Revolution* (New York, 1931), I, 264 ff.

[19] The compte de Maurepas (1701-1781) was Louis XVI's principal minister and an advocate of the policy of weakening Britain by aiding the American colonies. Carmichael's characterization is on the whole accurate. Maurepas was lazy, fearful of losing power, and possessed only second rate talents. See Edward S. Corwin, *French Policy and the American Alliance* (Princeton, 1916), p. 78.

Man of near 80 always addicted to pleasure, an exile for 30 years, timed from sufferings & from imbecility, & yet fond of Power—even at this advanced age addicted to pleasures & therefore hating business, with something of a consciousness of this dislike & of his own Innability, he shuns war as an Intruder on the one & an Exposer of the other—Thus circumstancd & with coadjutors In the ministry who depend on him for their political Existence, what can be expected but an indecision & weakness, which seeks to hide itself under the name of Caution & refinement—The wishes & the Interest of the French Nation are too strong & manifest, even to let them doubt that they ought to render the separation between America & Great Britain eternal, but while they hesitate about the way of doing it effectually They distress us, & risque much themselves—There are some men in this administration however who are capable of great things, could they dictate, instead of being dictated to:—And as they are sensible their consequence may expire with the Minister, should he die before the nation is involved in a war They secretly wish to accelerate it. It is something a maxim in the French Cabinet to make as few Ministerial arrangements as possible in time of war—On this principle the Subalterns wish it, that being in place at its commencement, they may establish their power by its progress—For which reason they second our Intrigues and doing so, find themselves seconded by the Queen and all the Nobility almost of the Kingdom, In the Councils of England war seems to be still more the object. Should they be successfull in America, they will declare it, because the nation will murmur if instead of having their burthens lessend they find them increasd: to escape retrospection, they must ingage the attention of the nation on another object—Should they be unsuccessful the same reasoning holds good in a more powerfull degree, but you must take along with you, my Dr Sir in this reasoning That the interest of Individuals operates, not the Public good—This reasoning too is founded on a series of facts which I have not time to explain. Indeed to enter into the minutiae of these facts would require a volume. Spain is something more firm, but if I may hazard the Expression, without knowing wherefore, weakness is as much shown by that court in temerity as it is shown in this by Caution. But the former is the best Tool to work with—Austria is the freind of England or at least not our freind, while the Empress Queen lives [20]—Prussia I had the honor to break the Ice with—The Congress have been informd of the Consequences, More favorable perhaps than any towards the acknowledgment of our Independence—Denmark wishes not well to England, but is so situated that Policy seems to render an appearance of Good will necessary—Sweden not well establishd after its late surprizing revolution in favor of Monarchy, stands in awe of its neighbour Russia a powerfull Ally of England, altho' wishing to mask freindship to us, under the appearance of Neutrality. All Petty States hate England, because they couch to its superior Genius & Even the Present Empress of Russia is too knowing not to see,

[20] Maria Theresa, Empress of Austria and mother of the Queen of France, Marie Antoinette.

that England in case of a seperation from America may depend on her Dominions for most Articles formerly obtaind from us—Thus situated my Dear freind, we must owe to our own Exertions what we might have reasonably expected from the assistance of others. Certain that altho we have not their assistance we have their applauses. The former however will come altho' late—You have seen the first fruits in the arrival of the Amphitrite &c. &c [21] "Another day will bring another thing" as one of the English poets says on a less serious occasion—We have strove as much as possible by our armaments in France, to injure & to irritate the English Nation—We have in part succeeded. Weeks Johnson & Nicholson of Kent, have lately raisd heavy contributions on the insurers of England—The Exchange has resounded with execrations against us & France our supposd protector. The Nation clamors for war, the Ministry incourage the Clamor a strong proof of what I have advancd—7 ships of war have blocked up the little vessel which forwards this.[22] A finesse has dispersd them. The moment that this vessel takes the first prize contrary to all the declarations of the French & the remonstrances of the English Administration The uproar will be general in England, that it may terminate in insolence & rashness is my wish, as it has been my labor—An Armament from hence took the 3rd packett which England ever lost in the Narrow seas & I had the honor to forward the foreign dispatches of the different courts by order of the Commissioners. This was circulating the disgrace of England, which so far from subduing America, was itself insulted by America even on its own coasts—Port Glasgow & Dublin are fortified against our attacks, in consequence of some artfull & intimidating intelligence, thrown into their hands—I have proposd a scheme to the Commissioners for exciting the White-boys in Ireland, I have the proper tools all ready—& I doubt not of their concurrence—Should I not hear from America before September, I hope to make a winter campaighn with you. I wish to pave the way for a favorable reception—In consequence I hope to come out in a Frigate with some excellent battering peices, Ammunition & warlike stores of all kinds except *officers*—I hope the Gallant Marquis La Fayett will read this with you. If so embrace him for me, De Kalbs remembrance will flatter me into a good opinion of myself. I hope Pulaski will forget the misfortunes of his own Country in our successes—I have once had the honor to be presented to General Washington, will you do it a second time & intreat his Pardon, that I have bribd the French officers here by presenting a medal of him cast in London, to each of them. If the Baron de Steinheild a young Swede of high rank & distinction presents himself to you will you receive him, not only as my freind, but as the Enthusiastic admirer of our principles & efforts & that dis-

[21] The *Amphitrite* was a French ship which arrived in America in April, 1777, with a cargo of supplies and a number of French volunteers. Allen, *op. cit.*, I, 253-54.

[22] Lambert Wickes, Samuel Nicholson and Henry Johnson were a trio of Continental naval captains who were successfully raiding British commerce at this time from the vantage point of French ports. *Ibid.*, I, 260 ff.

interestedly?[23] I pray you to represent him as such to all your freinds— Dick Loyd was well the last time I heard of him. I beg you to mention me in the warmest manner to my freinds & acquaintance & to beleive me with the utmost sincerity Your freind & Very devoted

humble Sert.

Wm. Carmichael

The Commissioners were well on the 13th of this Month & in good Spirits—

Dear Sir

Having taken one Liberty, I hestitate not to take a second. I know nothing that can reconcile you to my Letters, but that they come from a distance & that the writer endeavors at least to please. It has made me happy to know that the Marquis La Fayette would put into your hands proofs of my good inclinations for my country & of my particular esteem for you. But to wave all apology & all ceremony in this Land of ease, Let me at once proceed to what is the cheif purpose of my Letters at this Crisis— Since I last did myself the honor to write you various circumstances have happened which have elated us with hope or depressd us with apprehensions. Sometimes we have thought this Court on the point of openly avowing itself in our favor. Oftner we have seen the weakness of its Administration frightned by the Menaces of England & then we have been the Sufferers. I have studied with much attention the Character of the Man who governs here, I have developpd it by the proceedings of his administration. I have tracd his private Life from a boy to 70 odd years & I find it a character of weakness & indecision. What he has been in a private he is in a public character, a Lover of Ease, of dissipation, Hating resolution, because it requires effort above his capacity & inclinations—Such is the Compte De Maurepas, as Absolute at present as we have beleivd the Earl of Bute to be with our Quondam *ruler*. Such being the *Ruler* it is needless to speak of the *Subalterns*. What Pope says of Woman may be applied to them. " Most women have no character at all " Every object to a jaundicd Eye appears yellow, every action dictated by such a man is Stampd with Inconsistence. Not daring to risque a war which the *Nation* think *Him* unequal to, Yet dreading the resentment of *that nation*, if he should give *us* intirely up. He has chose a middle way which requires much duplicity & much address & would succeed in it, if he possessd the Latter as he does the former. On this principle he had agreed to give us secret aid & countenance, with promises in abundance for the future. But in affording us this assistance & dealing us these promises He was as cautious as a Lawyer in drawing an Indictment, for fear any proof should remain in our hands of what he had done in our favor. I can give you many curious anecdotes on this head If ever I should have the pleasure of seeing you—In fact he is determind against war

[23] The Baron de Steinheild has not been identified.

if he can possibly avoid it. So was Cardinal Fleury & yet he was drawn in much against his inclinations [24]—Finding the Minister in this situation it was thought necessary to see how far his dread of England would really carry him for which reason a plan was formd & executed to seize the Packett from Harwich to Helvoetsluys by a vessel fitted out in a Port of France. This was notoriously contrary to treaty—But had the Captn. (Cunningham) not returnd to the port from whence he had saild, this court could have no way of making reparation to that of England, but by a public disavowal in the face of Europe of their concern in the affair Which their pride would have hinderd them from. As it was, Cunningham gave them an opportunity of reparation, by imprisoning of him & restoring such part of his prizes as he had not plunderd. They acknowledged our Independence in fact, by paying respect to the Commission of Congress & setting him & his people at Liberty without any pecuniary or corporal punishment—His imprisonment gave great cause of triumph and exultation in England. To abate that it was thought advisable to fit out another cruiser from the same port to shew the Commercial interest of England what Little credit they ought to give to the Pacific intentions of France and the promises of their own ministers on that head—This was carried into execution even contrary to the Express orders of administration of this Country. The Complaints of England were loud on the occasion. Instant satisfaction was demanded & war threatned in case of refusal—The mode of doing this would have brought on a war, if there had been any spirit in the councils of this Nation—The contrary happend, Mr Hodge sufferd in the Bastille [for] what Cunningham had done at Dunkirk.[25] I should have shard the same fate had they not thought me in a public character (Secretary to the commission) & had they not dreaded my eternal & active resentment in America if ever set at Liberty—At the same time that Poor Hodge was imprisond strict orders were given publicly in their ports, but at the same time Secret orders & even instructions were given how to elude them. I threatned loudly to return to America & to complain of this treatment of my Countryman seizd under the same roof with me as also of the Commissioners that they did not resent this indignity sufficiently offerd to 3 millions of People—I was admitted in consequence to see Mr Hodge, I was assurd that he should be treated with particular distinction & when they thought fit to release him, I receivd a Polite card from the Minister inclosing the order to me, In order to give me the pleasure of setting Him at Liberty myself. All this time I know that the strongest assurances are given both publicly & privately of the pacific intentions of this court, while we are receiving as Strong that we shall never be deserted—Their ports are the Same to us as ever, we fit out our ships, we sell our prises, we purchase warlike

[24] Cardinal Fleury (1653-1743) was the all-powerful principal minister of Louis XV.

[25] William Hodge, Philadelphia merchant, was employed by the Commissioners to purchase vessels for the Continental Navy. As a result of the British protest concerning his activities he was arrested by the French authorities.

stores & all this in direct contradiction to the Express & public orders of the King—Were there wisdom in the English councils, the consequence of these proceedings would be, an acknowledgement on their part of our Independence and an alliance with us defensive and offensive. But for this their infatuation is too powerfull. Happy to obtain some public proof of the peaceable disposition of France In order to keep up their stocks they will not I am afraid, have spirit to resent, the actual breach of the Treaties between France & themselves. In this case we must content ourselves with drawing what supplies we can from the house of Bourbon and wait for accident to do that for us, which we ought to Owe to the generosity or rather true Policy of these courts—While we evacuate places as we have done Ticonderoga, our credit will be very weak in Europe—The evacuation of that Place & Manlys giving up the Hancock are circumstances which have hurt us more in Europe, than any thing that has yet happen'd.[26] I was endeavoring to negotiate certificates of Congress at Amsterdam & likely to succeed till the news of these unlucky affairs arrivd. I hope General Arnold will give me new credit—Until Burgoynes Success the clamor was loud in England for Peace—The Ministry have made it a tub to throw out to the Whale.[27] It has in part stilld their clamors. Our Independance is no where as yet acknowledged. Indeed we have envoys no where but here. The Congress I find have made a late appointment and have directed one of the three M[r] A. Lee to go to Spain. They have done right. For I beleive we have more to Expect from the hatred of that Court to England & its resolution than from the timid politics of this. But D[r]. F[ranklin]—was the Man who would have flatterd the pride of that haughty court by his appointment to it. If I may dare to give my opinion even to you in private on what is transacted by that honorable body—It appears very odd that they should have appointed the same man to represent them at the courts of Vienna & Berlin, courts as jealous of each other & as opposite in their politics almost as the United States & England—[28]

Besides that the man is as fit for the representative of three millions of people & at the wisest courts in Europe too as I am for a wet nurse—Speaking nor reading, I beleive any language but English & totally unacquainted with the political history or interests of Europe. He is however very industrious and a great oeconomist. Mr. Carrol of Maryland is certainly the properest man in America to have been sent to Europe on Public affairs. his perfect knowledge of the Language in vogue, his great general knowledge, his professd religion, all would have made him infinitely more suitable than any we have yet had here, setting aside the

[26] The frigate *Hancock*, commanded by John Manly, was surrendered on July 7, 1777, after a lengthy engagement. Fort Ticonderoga was surrendered in July 6, 1777.

[27] General Benedict Arnold's expedition, to which Carmichael referred, was directed against St. Leger who was besieging Fort Stanwix. It should be noted that within two weeks after Carmichael wrote this letter Burgoyne was defeated at Saratoga.

[28] Arthur Lee was also appointed Minister to Prussia and Austria.

great reputation of Dr. Franklin[29]—I observe a jealousy in these courts of all men who have been established or who have ever formd party connections In England. It is the same case, without any reason, at the court of Prussia. Mr A. L.[ee] followd me thither & remaind a month or more without coming to any thing decisive. He was at last civilly dismissd & the King has thought proper to treat with the gentleman at Paris—I wish you would urge your freind Mr Morris to send in the Spring of the Year some of his Tobacco Vessels North about to Embden.[30] It will be the best way to escape the English cruisers & will effectually serve us with that Court. I would also intreat you to assure Mr Morris, that Mr Deane was urgd often & frequently by others Not only Americans but People of the first characters here to write Congress respecting the conduct of his Brother, before he did write & when he did, he was cheifly inducd to do it by Representations of Mr A. L. then at Nantes & who urgd his Collegues in the strongest manner to do it.[31] The Congress have appointed Commissioners at different Courts without naming Secretaries to any, altho' it is a public appointment & an appointment often of more real consequence than that of the Commissioner, since thro' his agency all intelligence is procurd & in case of Death he succeeds pro tempore to all the functions of the Commissioner. I did hope that in consequence of Mr Deane & since of Dr Franklins letters that I should have been appointed or rather confirmd in an office which I have filld for more than 15 months without salary or perquisite whatever But as they have neglected to name any one—and as I do not chuse to be considerd in the light of a private Secretary, I am coming over to make a campaighn under Your orders, if I can not do better, better I may do in point of Interest, tho' not in point of pleasure, for I would rather expose my person a thousand times to danger, than my mind to the anxieties it has sufferd for these 2 years past.[32]

There is a man here whom the Congress instructed Mr Deane to Consult with & whom they have since totally neglected the person I speak of is Dr Bancroft fellow of the Royal Society and well known for his Litterary merit.[33] He was the Source from whence we drew all or most of our

[29] Charles Carroll of Carrollton (1737-1832).

[30] Robert Morris (1734-1806) was, at this time, engaged in buying tobacco to export to Europe at the direction of the Continental Congress.

[31] Thomas Morris, brother of Robert Morris, had been appointed commercial agent at Nantes by the Continental Congress. His drunken and debauched way of life and the suspicion of irregularities in his accounts, not only caused scandal but was detrimental to the work of the Commissioners. They finally requested his removal, but Morris died in 1778 before Congress could act.

[32] He was finally given an official appointment as secretary on November 28, 1777, but left Europe before receiving the news. *The Revolutionary Diplomatic Correspondence of the United States* (Washington, 1889), ed. by Francis Wharton, II, 431.

[33] Edward Bancroft (1774-1821), writer, inventor and spy, was attached to the American Commissioners as a Secretary and was drawing £1000 from the British government for reporting the activities of the Commission. Bancroft's activities were completely unsuspected throughout the revolution. It was not known that he

Intelligence last summer & winter from England, from which country he was obligd to fly on acc[t] of his connections with us. By these means he has lost a comfortable Subsistance, and is thrown on the world to seek a new way of gaining a livelyhood—If he did not merit the confidence of Congress so far as to hold an office under them, yet as in consequence of their notice, he has lost his all, he ought to be considerd, but I know no one in Europe more deserving on account of his political knowledge & his zeal in the Service than this Gentleman—You may judge of my opinion of him when I assure you I would sacrifice any hopes I might have myself of being imployd, to make way for him. As I am conscious he can serve the cause (which is all with me) as well as any Man here—I beg you will be kind enough to aid a worthy Man into notice, who having nothing but merit to recommend him, May without such assistance, have reason to repent his ever having been honord with the Notice of Congress. The Crops are tolerable & even plentyfull in most parts of Europe and there is no appearance of rupture between any of the powers thereof. Indefatigable pains have been taken by the King of England to keep all quiet here He has wrote himself to the King of France in the expostulating tone of Freindship on the conduct of his Ministers for contenancing his rebellious subjects. He has prevaild on the Empress Queen to write to the Queen her Daughter to Influence her conduct in his favor. While the Empress lives I beleive we shall have little notice from the Court of Vienna. The Emperor has great Ideas but he is in trammels. It is with her hereditary dominions that we should have any intercourse. When at Brussels, I saw two or three of the council for the Low Countries & knew pretty well the Confessor of Prince Charles of Lorain the Governor. By these I was informed that the Council was well disposd as was the Prince to incourage our commerce to their Ports, but that the Queens orders were very explicit against us—The Confessor was an ex Jesuit, I flatterd him with the toleration his order & religion receivd in our province particularly & generally thro the other States. He declard he would take every opportunity to insinuate to his penitent the Justice of our cause & the interest of the Empress to protect & incourage our commerce. But one battle gaind in America, will do us more good than all our memoirs & negotiations—You therefore have both the boredom of fighting and negotiating on your hands. I hope you will be more successfull than we have been. This whole nation must however be credited for their good will to the cause there is not a day passes, but that I hear their Minister a thousand times execrated for his System of Politics. Never was there an occasion on which they were so eager for war—Some considerable supplies will certainly be sent you—I shall myself come out I expect in a 60 gun ship which brings troops to the West Indies, from whence I shall proceed in her with a good Supply of brass Artillery musketts cloathing &ce. for our Army. I hope you are pleasd with the Marquis La Fayette. He must not be placd in the role of adventuers who

was a spy until long after his death. Lewis Einstein, *Divided Loyalties* (Boston, 1933), pp. 3 ff.

have cursd you so much with their offers of Service. His freinds are of high rank & great consideration in this country & espouse our cause warmly at Court. His fortune is splendid & he has the character of being the most rising young man of the Age. The Acc[t] he gives of his reception as favorable or not so will affect us considerably here. I have receivd a thousand civilities from his Family & I really Love & Esteem him. I hope you find the Generals Conway & Der Kalb of service, they were the only men I wishd in the Service, excepting the Marquis & him on acc[t] of his Family connections & because his going out showd the English Nation on what footing our affairs stood in France [34]—I happily was in Germany when all of them ingagd nor did I know them till after they were ingagd, so that you must not look on me as an adviser of the measure—

Indeed most of them were forcd on Mr. Deane by the Ministers here & while he was solliciting favors, he could not refuse to oblige. Press our cruisers to be sent to these Seas. England is no where so vulnerable as near home. They ought to be of Force, that is between 20 gun ships & Frigates, for a number of cutters from 12 to 18 guns & well manned lately equippd will effectually distroy our trade & small privateers on this coast. The Lexington is lately taken by one of these—after an ingagement of 6 hours [35]—The French coast is so guarded that it will be highly proper for our Merchts. to send part of their ships in the Spring to the Northern ports of Europe, I mean the Ports of Sweden & Prussia. Meerstrandt & Embden—It will likewise [be] necessary to suggest to some of your freinds in Congress, that printed instructions should be given to the officers of public & private ships of war on their arrival in European Ports to inform the Commissioners & to conduct themselves discretly & prudently which some Captains of Private Ships of War have by no means done—If any thing could be done to releive these unhappy people who have been taken & confind in England it is an object highly worthy of the attention of Congress Inclosd you have a letter which will show you their distress—Thus my Dear Sir Have I endeavord to throw out to you some hints for your own private information which you may make what use of you please Depending that every thing I have mentiond to you proceeds from close attention to facts. Your Brother in Law Dick Loyd will leave England this month, the bad state of health of his wife has hitherto prevented him. Mr Izzard to whom I am glad the Congress have given an appointment, has been here some time. Had he not have receivd this appointment [he] would have come to America with me— [36]

Loyd Delany I am told flatters himself to come out Lieutenant Governor

[34] Thomas Conway (1735-*c.* 1800), Irish born military leader, received a commission from Silas Deane. He was the leader of the Conway Cabal, an unsuccessful movement to oust Washington as commander-in-chief in the winter of 1777-1778.

[35] The *Lexington*, a continental brig, commanded by Captain Henry Johnson, was compelled to strike her colors on September 19, 1777, after a brief engagement when her ammunition supply was exhausted.

[36] Ralph Izard (1741/2-1804) of South Carolina was appointed commissioner to Tuscany in 1777, but was never received by that court and remained in Paris.

of Maryland, What will you give him for his salary. his office I beleive will be like L[d] Littletons *in air*.[37] I have now only one request to make you, which is to do justice to my conduct & sentiments on all occasions, that I may not be lookd on, because unfortunately absent when the war began, as one of those parricides who incessantly urge the desolation of their county or even as one of those lukewarm animals who tamely behold its ruin, without having a wish to mingle in the glorious contest. I write to few other freinds therefore I beg you to remember me to them all in the proper manner & to beleive me with much [warmth?] & esteem Dear Sir

Your freind & humble Ser[t].

W[m]. Carmichael

Paris October 8[th]. 1777

You must excuse my inaccuracies for I must send this for want of time to make different copies.

[37] Lloyd Dulany, Maryland Loyalist, went to England where he was killed in 1782 in a duel with Rev. Bennet Allen, also from Maryland, Josephine Fisher, "Bennet Allen, Fighting Parson," *Maryland Historical Magazine*, XXXIX (1944), 66-71.

THE JUDICIAL MODIFICATIONS OF THE MARYLAND BLACK CODE IN THE DISTRICT OF COLUMBIA

By William Frank Zornow

During the anti-slavery controversy before the Civil War many abolitionists directed their chief attention to securing freedom for the Negroes in the District of Columbia. The actual number of slaves involved was really not great, for on the eve of the war they constituted not more than four per cent of the total population of the District.[1] The chief importance of the abolition of slavery in Washington, therefore, lay not in the number of Negroes who would be freed, but in the great victory in principle which the abolitionists would win. Slavery in the capital was of great propaganda value to the abolitionists. The question of slavery in the District had been raised constantly during the years before the war. Whenever popular interest in the national slavery question seemed to lag the abolitionists sought to revive it by calling attention to conditions in the capital. Since Congress had exclusive legislative power over the District the anti-slavery leaders could see no reason why the law-makers should not abolish the hated institution there.

The abolitionists felt that the capital was the " head of the body politic and the soul of the national system " and, therefore, anything done there regarding slavery would have considerable significance for the cause of freedom throughout the nation.[2] The American Anti-Slavery Society pledged itself to " influence Congress to . . . abolish slavery . . . in the District of Columbia." The anti-slavery leaders often argued that the question of the abolition of slavery in the District was the only objective upon which " all

[1] Joseph G. Kennedy, *The Population of the United States in 1860 . . . the Eighth Census* (Washington, 1864), I, 600-604.
[2] *National Intelligencer*, August 21, 1830.

classes, Abolitionists, Colonizationists, Mongrels, and Nothingarians can agree." They urged everyone to unite and send petitions to Congress demanding that slavery be abolished. "Here is the place to begin," wrote one abolitionist journal, "and we beg, in the name of suffering, bleeding humanity, that those who are now expending their strength and ingenuity against Colonization would occupy this field . . . ." [3] The petition campaign reached its peak in 1828-29, and finally Congress was forced to take action and declare that abolition was inexpedient at that time.

The question of slavery and its abolition in the District of Columbia was discussed repeatedly by both partisans and enemies of the institution. It was felt by many friends of slavery that abolition would be a good thing because the institution was being judged and condemned on the basis of what visitors saw happening to Negroes in the nation's capital. As W. E. B. DuBois wrote with undeniable accuracy the "nation and the world . . . judged [slavery] largely from what they saw" at Washington.[4] The abolitionists, on the other hand, desired the end of slavery in Washington because it would represent to them a symbolic triumph over the institution as a whole. Whatever the motivation may have been, no problem was more fully discussed in and out of Congress than the problem of slavery in the District of Columbia. It is difficult to disagree with Gilbert H. Barnes when he observed that Slavery in the District of Columbia was "the Achilles' heel of the entire institution." [5]

Those who attacked slavery in the District directed their chief efforts against the Black Code which regulated the institution. This code was originally adopted *in toto* from the Maryland state code. The abolitionists denounced the code for its inhuman provisions regarding the treatment of slaves. Much of this denunciation was misdirected, for in reality by 1860 the original code no longer existed, because it had been subjected to sixty years of judicial modification by the mildly anti-slavery Circuit Court of the District of Columbia. In actual practice the code had been so altered that the Negroes were generally very decently treated. Thus, in pointing to the Washington Black Code as an example of

[3] Gilbert H. Barnes, *The Anti-Slavery Impulse, 1830-1844* (New York, 1933), p. 131 quoting the *Ohio Observer*.
[4] W. E. B. DuBois, *Black Reconstruction* (New York, 1935), p. 562.
[5] Gilbert H. Barnes, *op. cit.*, p. 109.

the unmitigated harshness with which slaves were treated, the abolitionists were in reality uttering false accusations. It is the purpose of this article to examine briefly some of the judicial modifications of the Black Code to show that the abolitionists' propaganda was an effort to rouse popular resentment against conditions which no longer had any existence in fact.[6]

On February 27, 1801, Congress enacted a law which continued all the civil and criminal law in force in Maryland on the first Monday of December, 1800, as the legal system of the District.[7] In order to save the time which would have been consumed in compiling a new code, Congress decided that the Maryland laws governing negroes which "had sufficed for a hundred years" should be adopted for Washington.[8]

It is true that the Washington Black Code by 1860 had lost its harsher aspects through sixty years of judicial modification, but it is undeniable also that at the time of its adoption the code was unjust, outmoded, and unworthy of the nation's capital. As will be seen later, even the courts in Maryland had recognized the unjustness of the code and were also in the process of altering it by judicial interpretation. The agitation against the code shortly after its adoption was entirely justified. Two questions might logically be raised: first, why was the code adopted at all if it was unjust; and secondly, assuming it to be unjust, did Congress make any attempts to modify it by legal action?

In answer to the first question we must say simply that the code was adopted because Congress was concerned with providing the District with a complete civil and criminal legal system in the shortest possible time. It was also felt advisable to continue in force a legal system with which the majority of people were familiar. It must also be remembered that the Black Code was only a minor part of the whole system adopted; in fact, during the debates in Congress over the adoption of the legal system no reference was made to the Black Code at all.

It is not within the scope of this paper to answer fully the

[6] Worthington G. Snethen, *The Black Code of the District of Columbia* (New York, 1848). This interesting document was published by the American and Foreign Anti-Slavery Society. It was given wide circulation throughout the northern states. It simply reproduces the various Maryland statutes comprising the code, but it does not in any way attempt to show the many judicial modifications.

[7] *United States Statutes at Large*, II, 103-108. (Hereinafter cited as *U. S. Stats.*).

[8] *Register of Debates*, 6 Cong., 1 session, 869-873.

second question.[9] During the period from 1801 to 1860 various proposals were made in Congress to reform the Black Code but each failed. It was this persistent failure on the part of Congress to revise the code which furnished the anti-slavery faction with its ammunition to attack the institution.

In 1816 William Cranch was appointed to head a committee to reform the code. After a careful investigation, he presented a new code to Congress which would have abolished most of the harsher aspects of the Maryland code. However, because of more urgent business Congress failed to act on Cranch's recommendation. In 1830 a second attempt was made to reform the code. The House Committee on the District of Columbia reported that the code was " only suited to the barbarous ages " and was " revolting to humanity " and called for a complete revision. As a result of these recommendations Congress passed the Penitentiary Act of 1831.[10] This act, although it abolished the excessive penalties imposed on free Negroes and whites, did nothing for slaves. The debate centered around the advisability of substituting imprisonment for the harsher punishments of branding and cropping which were prescribed in the old code. It was argued that imprisonment actually punished the master instead of the slave, and as a consequence after prolonged discussion the whole matter was lost. The final attempt to reform the code came during the period 1855 to 1857. Congress appointed a new commission to draft an entirely new legal system for the District, but the new system was rejected by a popular referendum.

Thus the three major attempts to reform the Black Code failed. The harsh Maryland code still remained upon the statute books in 1860. The abolitionists went on pointing to the code as an example of the deplorable way in which the Negroes were being treated. When the great petition campaign failed to achieve its desired objectives, one abolitionist asked what was to be expected from Congress—" a thing of tail, nearly all tail, with a little

[9] The best study available on the whole problem of emancipation in the District of Columbia is Alfred G. Harris, " Slavery and Emancipation in the District of Columbia, 1801-1862 " (Unpublished Ph.D. Dissertation, Dept. of History, Ohio State University, 1946). Mr. Harris's study is an indispensable requirement for understanding the anti-slavery controversy concerning the national capital. It can be supplemented with Mary Tremain, *Slavery in the District of Columbia* (New York, 1892).

[10] *House of Representatives Report No.* 269, 21 Cong., 1 session, " Laws for the District of Columbia," 1-7; *U. S. Stats.*, IV, 450.

popularity hunting head? . . . It will abolish slavery at the Capital when it has already been doomed to abolition and death everywhere else in the country." [11] While Congress failed to act on abolition or the alteration of the Black Code, other forces were quietly at work improving the lot of the Negro slave.

The Maryland code which was adopted in Washington was a collection of acts which had been passed by the state assembly beginning in 1715. During the eighty-five years which elapsed from its first enactment to its adoption by Congress much of it had become obsolete and outmoded. In 1801 it was badly in need of complete modernization, but it was adopted by Congress with no revision whatever. In spite of its many shortcomings the Maryland code was decidedly humane in many of its dealings with the Negroes. An early law of 1715, for example, provided for the punishment of any master who failed to provide his slaves with the necessities of life, or who burdened them with excessive labor and denied them adequate rest.[12] No master was permitted to administer punishment exceeding ten lashes of the whip and severer penalties could only be administered by the justices of the peace. Violation of this statute was punishable by a large fine for the first two offenses, and on the third offense the slave was to be granted his freedom. An act of 1752 provided that all masters were to take care of slaves who were no longer able to work.[13]

The Maryland code also provided for the manumission of slaves by masters who might desire to set them free by the terms of their last will and testament.[14] The code further declared that any Negro who had grounds for claiming his freedom could obtain a counsel, who was then authorized to summon the person holding the slave to appear in court and prove his right to the Negro.[15]

These portions of the code were unquestionably fair in their treatment of the slaves. The other sections of the code, however,

[11] Gilbert H. Barnes, *op. cit.*, p. 148 quoting the *Herald of Freedom.*

[12] William Kilty, *The Laws of Maryland, 1689-1801* (Annapolis, 1802), I, 1715, Ch. XLIV, sec. 21. (Hereinafter cited as *Laws of Maryland*). One might also read, William H. Browne, *Archives of Maryland* (Baltimore, 1883-), XXX, 283-292, "An Act Relating to Servants and Slaves." (Hereinafter cited as *A. of Md.*).

[13] *Laws of Maryland*, I, 1752, Ch. I, sec. 1; *A. of Md.*, L, 76-78, "An Act to Prevent Disabled and Superannuated Slaves being set Free, or the Manumission of Slaves by Last Will or Testament."

[14] *Laws of Maryland*, II, 1796, Ch. LXVII, sec. 29-30. All slaves who were freed in this manner were given certificates of manumission. See also *Ibid.*, I, 1752, Ch. I, sec. 2.

[15] *Ibid.*, II, 1796, Ch. LXVII, sec. 21-25.

did not reflect such interest in the protection of the Negro, but were rather designed to protect the whites against their slaves. The assembly of 1751 examined the slave statutes and concluded that they were " insufficient to prevent their committing great crimes and disorders " and called for additional laws to " keep them in proper bounds." The assembly then proceeded to enact laws providing the death penalty for all slaves charged with inciting rebellion, or having committed murder, rape or arson. All outlaw slaves were to be killed on sight if they showed signs of resisting arrest. Any slave who was caught away from his master's house without proper authorization was to be whipped or branded.[16] Such penalties were to be found in all the Black Codes of the times.[17] The same penalties were also meted out to white prisoners for the most trivial crimes, and in the case of white prisoners the death penalty was mandatory for thirteen offenses.[18] In the light of mid-nineteenth century standards such punishments tended to appear grossly excessive. The abolitionists pointed to these laws as examples of the bad treatment accorded to Negroes, but they neglected to indicate that such penalties were seldom inflicted during the nineteenth century.

The Washington Black Code was, therefore, a combination of acts some of which were humane in their treatment of the slaves and some of which were severe. After the code was adopted many had recognized the desirability of lessening the harsher aspects, and long before the abolitionists began to call attention to the code, forces were already in motion to mitigate its harshness. Much was done by the local justices of the peace, but unfortunately since few of them left records we are unable to estimate more exactly the full extent of their humanitarian work. Many of the municipal ordinances enacted in Washington were also instrumental in lessening the worse features of the code, but the principal work was done by the District's Circuit Court.

[16] *Ibid.*, I, 1751, Ch. XIV, sec. 1-9. See also an earlier law of 1723 which was directed against slaves " who absent themselves from their master's service and run into the woods." These slaves could be killed if they resisted arrest, and the killer was absolved of all guilt. *Ibid.*, I, 1723, Ch. XV, sec. 7; See also *A. of Md.*, XXXIV, 731-733, XLIX, 618-621.

[17] *Laws of Maryland*, I, 1715, Ch. XLIV, sec. 32; I, 1723, Ch. XV, sec. 4; I, 1729, Ch. IV, sec. 2; 1751, Ch. XIV, sec. 2. See also *A. of Md.*, XXXVI, 454-455.

[18] *Laws of Maryland*, I, 1720, Ch. XXV, sec. 2; I, 1737, Ch. II, sec. 2. See also *A. of Md.*, XXXIV, 116, XL, 86-87.

The United States Circuit Court of the District of Columbia was one of the most important agencies in regulating the relationships of slaves and their masters. The Black Code actually vested most of the jurisdiction over the slaves in the hands of the justices of the peace, but the Circuit Court was given jurisdiction over criminal cases. It also dealt with the Negroes through its authority over civil matters. In the latter case, however, the Negroes were more frequently affected indirectly by decisions involving white litigants. For forty years before the outbreak of the Civil War this court was presided over by William Cranch, who was described as an "upright and enlightened judge." [19] He was a man of moderate anti-slavery views and together with his colleagues he did much to modify the Maryland code.[20]

The Circuit Court handled Negro cases involving capital offenses. The abolitionists claimed that the slaves were compelled to submit to excessive punishments, but during the sixty years preceeding the outbreak of the Civil War the court sentenced only one Negro to death.[21] This would seem to refute the abolitionists' claim. On another occasion when dealing with a case in which the death penalty was mandatory the court remanded the defendant to a justice of the peace for trial. As a consequence the Negro escaped the death penalty, for, by law, a justice could administer only light corporal punishment.[22]

The Circuit Court considered few cases in which slaves had been abused since these were handled by the justices of the peace, but whenever they were given the opportunity to preside at such a case the circuit judges extended the laws in the direction of greater

[19] E. A. Andrews, *Slavery and the Domestic Slave Trade* (Boston, 1836), p. 122.

[20] Cranch's opinion of the Black Code was once requested by Congress. In his letter he explained the composition of the code: "The laws thus adopted consisted of so much of the common law of England as was applicable to this country; of Bills of rights, Constitution, and statutes of Virginia and Maryland, modified by the Constitution and laws of the United States, and also (in regard to that part of the District which was ceded by the State of Maryland) of such of the English statutes as existed at the time of the first immigration to Maryland and which by experience had been found applicable to their local and other circumstances, and of such others as had been since made in England or Great Britain, and had been introduced, used, and practiced by the courts of law or equity in that State." Mary Tremain, *op. cit.*, p. 300, quoting *Annals of Congress*, 1818-1819.

[21] William Cranch (comp.). *Reports of Cases in the United States Circuit Court of The District of Columbia From 1801-1841* (Boston, 1852), II, 66 (United States *v.* Patrick). (Hereinafter cited as *C. C. Reports*).

[22] *Ibid.*, II, 640 (United States *v.* Calvin *et al.*); *Laws of Maryland*, I, 1715, Ch. XLIV, sec. 21.

humanitarianism. Cranch handed down the dictum that "the property which a man has in his slaves is not of the same nature as his property in a horse. It is only a right to his perpetual service." Acting on this assumption Cranch ruled that a master who beat his servant was guilty of an indictable offense.[23] Subsequent decisions permitted a master to administer reasonable punishment to a recalcitrant slave but severely penalized unwarranted cruelty.[24]

The Maryland code had provided that the Circuit Court was to deal with all questions involving the manumission of slaves.[25] Taking advantage of this power the court frequently intervened to prevent unscrupulous masters from freeing their old slaves in order to avoid the legal responsibility of caring for them when they could no longer work.[26] In hearing petitions for manumission the judges were exceedingly lenient toward the Negroes and frequently permitted many irregularities in the court procedure.[27] In order to render a decision favorable to the Negro petitioner the judges were not unwilling to admit unattested documents and even hearsay evidence in his behalf.[28] The United States Supreme Court finally put an end to this rather injudicious practice by ruling that hearsay evidence was inadmissable.[29] When considering a petition for freedom the Circuit Court also took precautionary measures to see that the Negro would not be carried from the jurisdiction of the court while the case was pending. The Negro's master was required to post a bond to guard against such a contingency.[30]

The circuit judges not only sought to free as many slaves as possible by a liberal interpretation of the laws governing manumission, but they also sought to interpret the laws governing their importation as narrowly as possible. A Maryland law of 1796 was

[23] *C. C. Reports*, I, 373, (United States *v.* Isaac Butler).
[24] *Ibid.*, IV, 470 (United States *v.* Richard B. Lloyd); Alfred Harris, *op. cit.*, p. 18.
[25] *Laws of Maryland*, II, 1796, Ch. LXII, sec. 29-30; I, 1752, Ch. I, sec. 2.
[26] *C. C. Reports*, I, 597 (Wigle *v.* Kerby).
[27] *Laws of Maryland*, II, 1796, Ch. LXVII, sec. 29; *C. C. Reports*, IV, 189 (Samuel *v.* Childs).
[28] For cases in which hearsay evidence was permitted see: *C. C. Reports*, II, 95 (United States *v.* Bruce); II, 23 (Davis *v.* Forrest); II, 3 (Priscilla Queen *v.* Neale).
[29] B. R. Curtis, *Reports of Decisions in the Supreme Court of the United States* (Boston, 1855), II, 535 (Mima Queen and Child *v.* Hepburn).
[30] *C. C. Reports*, I, 318 (*Ex parte* Letty); II, 156 (Love *v.* Boyd).

the basic statute in force in the District governing the importation of slaves. It prohibited the importation of " any Negro, mulatto, or other slave for sale or to reside " and freed all those who were brought in contrary to the law.[31] Thus, in 1801, when Congress adopted the Maryland code regulating Negroes it inadvertently abolished interstate traffic in slaves. The Circuit Court was quick to rule that the District was now a separate jurisdiction under the control of the United States and by substituting the term " District of Columbia " for the term " State of Maryland " it thus declared that the importation of slaves was to stop.[32]

In March, 1802, however, Congress amended the law of 1801 and once again permitted the importation of slaves from Maryland and Virginia into the District.[33] The Circuit Court soon ruled that slaves from Maryland might be introduced only into the part of the District ceded by that state and not into the Virginia cession. Conversely, slaves from Virginia could be imported only into Alexandria and not into Washington. Masters already owning slaves in Alexandria were also forbidden to export them to Washington for sale.[34]

In 1812 Congress nullified the interpretation which the District's Circuit Court had given to the statute of 1802 by a new law which declared, " hereafter it shall be lawful for any inhabitant . . . in either of the said counties [Washington and Alexandria, D. C.] owning . . . any slave to remove the same from one county into the other . . . ." [35] Thus Congress sought to provide for the free transfer of slaves from one part of the District of Columbia to another without the restraint imposed previously by Cranch's court. The Circuit Court again rendered the narrowest possible interpretation of the new law. The court ruled that only

[31] *Laws of Maryland*, II, 1796, Ch. LXVII, sec. 1-3. Any *bona fide* settler from another state was permitted to bring his slaves into Maryland within one year, but they could not sell them before three years or the slave was to be free.

[32] *C. C. Reports*, I, 16-19 (United States *v.* John Hammond). The court ruled that the District was completely severed from Maryland and was now a separate jurisdiction under the control of the United States.

[33] *U. S. Stats.*, II, 193-195, sec. 7. The act provided that " nothing in the Act of February 27, 1801 be construed so as to prohibit the owners of slaves to hire them within or remove them to the said District in the same way as practiced prior to the passage of the above recited act." The wording of the new act meant that slaves might be introduced into the District only from the States from which it had been made.

[34] *C. C. Reports*, I, 316 (Negro William Foster *v.* Simmons).

[35] *U. S. Stats.*, II, 755.

a *bona fide* citizen of either Washington or Alexandria counties who changed his residence from one of them to the other could bring his slaves with him. Any slave moved from one county to the other under any other circumstance was to be freed.[36]

In addition to limiting the movement of slaves from one county to another the court also sought to enforce a Maryland statute of 1796 which provided that permanent settlers who changed residence must bring their slaves to the new abode within a year and must domicile them there for three years before offering them for sale.[37] Whenever this law was not followed precisely the court ruled that the slaves in question were to be freed.[38]

The Maryland code permitted the movement of slaves through the District on their way to the lower South and even permitted their temporary quartering in depots in the city. Such practices were so explicitly authorized by law that the court could in no way interfere with this system.[39] The court, however, did as much as it possibly could to hinder the movement of slaves by preventing all dealers from completing any contracts for the disposal of slaves bound for the South while within the boundaries of the District. The trader was required to complete his original purchase at the place in which the slave was obtained. Only Maryland slaves were exempted from this. Consequently the only slaves offered for sale in the District were from that State. Slaves from Virginia were offered for sale in Alexandria county.[40]

Another phase of the Maryland code which was modified by the judicial interpretations of the Circuit Court pertained to the laws governing the admission of Negro testimony in court. The Maryland code provided that no slave or free Negro (except mulattoes born of a white woman and not under service) could testify against any white Christian. The Circuit Court interpreted this law to mean not only that mulattoes born of a white woman were, as far as giving evidence in court was concerned, to be

[36] *C. C. Reports*, IV, 643 (Negroes Sam and Barbara Lee *v.* Elizabeth Tooker); IV, 641 (Negro Fenwick *v.* Tooker).

[37] *Laws of Maryland*, II, 1796, Ch. LXVII, sec. 2, 3.

[38] *C. C. Reports*, I, 370 (Burr *v.* Dunnahoo); I, 482 (Negro Harry Davis *v.* John Baltzer); II, 373 (Negro William Jordan *v.* Lemuel Sawyer).

[39] *Laws of Maryland*, II, 1796, Ch. LXVII, sec. 4.

[40] *C. C. Reports*, II, 373 (Negro William Jordan *v.* Lemuel Sawyer); III, 296 (Negro John Battles *v.* Thomas Miller); William T. Laprade, "The Domestic Slave Trade of the District of Columbia," *The Journal of Negro History*, XI (January, 1926), 17-35.

considered white, but also claimed that if a Negro acted as a free person for a long time it was to be construed as *prima facie* evidence that he was the child of a white woman.[41]

In one of the first cases of the above type the court ignored the restrictions of the law and declared that " free Negroes not in a state of servitude are competent witnesses in all cases . . . color alone does not disqualify a witness in any case." [42] Thus in the majority of cases of this type the court admitted evidence by colored persons on a basis of equality with that of whites.[43] The court did not, however, admit the testimony of slaves against either white or colored free persons, but in a few cases the court permitted slaves to testify on behalf of free Negroes when other evidence was unobtainable.[44]

In evaluating the role of the Circuit Court in the modification of the Maryland Black Code it would be impossible to disregard the important decisions handed down by that court in the matter of the rendition of fugitive slaves. The fugitive slave law of 1793 and the later act of 1850 were extended over the District by Congressional action, but the actual procedure in use in Washington followed that established by the laws of Maryland.[45]

The Maryland laws concerning the rendition of fugitive slaves were the product of eighty years of evolutionary development. They had never been revised so consequently many of them had become obsolete by 1860. The early laws provided that any person, white or colored, who was found beyond the limits of his county without a pass might be arrested and taken before a justice. If it was proven that the person was a servant, his master was notified of his capture. The master in turn could claim his servant after paying the legal charges and fees.[46] If no owner appeared and the servant was not claimed after being duly advertised, the sheriff was empowered to sell his labor to the highest bidder.

[41] *Laws of Maryland*, I, 1717, Ch. XIII, sec. 1; *A. of Md.*, XXXIII, 111; *C. C. Reports*, I, 370 (Michim *v.* Docker).

[42] *C. C. Reports*, I, 517 (United States *v.* Mullany).

[43] *Ibid.*, I, 244 (United States *v.* Fisher); II, 94 (United States *v.* Douglass); II, 241 (United States *v.* Neale).

[44] *C. C. Reports*, I, 371 (United States *v.* Shorter); I, 318 (United States *v.* Terry). For other examples see: *Ibid.*, I, 148 (United States *v.* Swan); I, 521 (United States *v.* Peggy Hill); II, 275 (United States *v.* Butler). The court was usually reluctant to admit the testimony of slaves against freemen of either race.

[45] *U. S. Stats.*, II, 116 sec. 6; IX, 465, sec. 10.

[46] *Laws of Maryland*, I, 1715, Ch. XLIV, sec. 6-9. The fee was set at two hundred pounds of tobacco.

From the money thus collected the sheriff paid all necessary expenses and turned the balance over to the slave's master when he finally appeared.[47]

Such laws were unquestionably severe on the fugitives, but more important than this, the law was susceptible to abuses against men who were proven to be free. The law provided that any person arrested and then found to be free was to be released after paying the apprehension fee. The law stipulated that if the person in question refused to pay the fee " he shall make satisfaction by servitude or otherwise as the justices of the provincial and county courts . . . shall think fit." [48] Thus it can be seen that any free Negro who was arrested without proper papers might have been sold as a slave for life if he were unable to pay the apprehension fee.[49] The abolitionists often claimed that free Negroes were thus seized and resold into a life of slavery under the code. There seems to be little evidence to support such a contention.[50] The deplorable possibility that a free Negro might be arrested and sold into slavery was partially obviated by the fact that the laws governing manumission provided for an official registration of all free Negroes. The free Negro could then carry a duplicate of these " free papers " and could thereby readily prove his status to any official who might make inquiries.[51]

The judges of the Circuit Court began to interpret the Maryland laws governing fugitive slaves and modified them to meet the changing conditions of the country. They ordered that the marshal was to release any free Negro apprehended as a fugitive as soon as the fact of his freedom was established without the necessity of paying any fees. The court directed that the marshal was to communicate with the authorities in the county the suspect claimed to be from and to inquire into his actual status.[52]

The court sought to help the Negroes in the District by changing the interpretation of the fugitive slave laws to meet new conditions. At a time when the majority of the Negroes in the District

[47] *Ibid.*, I, 1719, Ch. II, sec. 2. See also *A. of Md.*, XXXIII, 459-460.
[48] *Laws of Maryland*, I, 1715, Ch. XLIV, sec. 7.
[49] William Laprade, *op. cit.*, p. 17.
[50] For an excellent summary of the entire case see: Alfred Harris, *op. cit.*, pp. 24-32.
[51] *Laws of Maryland*, I, 1752, Ch. I, sec. 1-3; II, 1796, Ch. LXVII, sec. 29-30.
[52] *House of Representatives Report No. 43*, 19 Cong., 2 Session, " Free Negroes—District of Columbia," p. 5; *House of Representatives Report No. 60*, 20 Cong., 2 Session, " Slavery—District of Columbia," pp. 7-9.

were slaves the court upheld the Maryland code which declared that color was *prima facie* evidence of slavery.[53] Later when the majority of Negroes were free persons the court changed its ruling and claimed that the legal presumption of slavery could be refuted by proving that the Negro had acted as a free person for at least a year. This, of course, presupposed an absence of documentary evidence in the case.[54]

In the 1830's William Cranch further ruled that the practices in regard to fugitive slaves had become outmoded since the legal presumptions of slavery based on color were no longer warranted by conditions. He, therefore, ruled that the procedure was to be reversed. No longer was an apprehended Negro required to establish his freedom, but the authorities were required to bear the burden of proof.[55]

These few illustrations of the judicial modifications of the Black Code should be sufficient to demonstrate the inaccuracy of the abolitionists' attacks against its severity. By such attacks they were creating a wholly erroneous picture of the situation in the capital. In the propaganda campaign against slavery these men pointed to the Black Code of Washington as a typical example of how badly slaves were treated in the South. Such propaganda was misleading, for the actual status of the Negro in Washington was decidedly different from what the letter of the law indicated. It was largely due to the work of the District's Circuit Court that the more deplorable phases of the code ceased to exist. Most Northerners, however, remained pitifully unaware of the true situation. They continued to obtain all their misinformation from pamphlets which reprinted in the most expanded form all of the inhuman statutes and left the reader, who was unfamiliar with the real situation, to draw his own inaccurate conclusions.[56]

[53] *C. C. Reports*, II, 21 (Bell *v.* Hogan).

[54] *Ibid.*, V, 35 (United States *v.* Negro Priscilla West).

[55] *Ibid.*, IV, 497-498 (Runaways and Petitions for Freedom). See also *Ibid.*, V, 338 (Negro William Richardson) in which Cranch ruled that "The Maryland laws respecting fugitive slaves are not . . . applicable to the present state of society of the District of Columbia."

[56] There is an excellent summary of the abolitionists' propaganda in Alfred Harris, *op. cit.*, pp. 181-197. Harris writes: "In view of the fact that the abolitionists' strategy was to present slavery in an unfavorable light, they centered their attack upon its most vulnerable points. Thus most of the myth was concerned with the 'Black Code' and the slave traffic, both of which, here as elsewhere, were the least attractive adjuncts of the institution. In purporting to describe the Code their plan was to represent that the ancient and obsolete statutes were still actually in effect and to devote all of their attention to the letter of the law rather than to

If the code was being modified in the District, it was undergoing similar revision in Maryland as well. In fact, as early as the eighteenth century steps were being taken to alter some of the unjust penalties which were prescribed in the code. Much of this work was being done by the Governor and the Council. According to the state law all capital sentences, which were mandatory in cases of murder, burglary, rape and arson, could be passed by the local courts but had to be reviewed by the Governor and his Council before they could be carried out. We find repeated instances during the eighteenth century when the Council dealt leniently with the Negroes who were liable to capital punishment. The majority of the capital sentences during that period seem to have been rendered against Negroes. The Council sought in most cases to deal fairly with the slave in question and frequently granted a pardon when there was any doubt of his guilt. Frequently the justices who had sentenced the Negro to death would write to the Council explaining the extenuating circumstances of the case and urged the Council to set the mandatory death penalty aside. A case of this type occurred in December, 1763, when a Negro slave named Hannah was sentenced to death by the local court. The judge explained to the Council that " this is the first crime she has ever committed . . . [she] is very sorry for her offence [*sic*] and promises if she can be pardoned she will be truly honest and faithful for the future . . ." The justice recommended that she be pardoned, and the Council complied with his request. In another case in 1763 several Negroes were sentenced for attempted murder. The Council wrote to the owners and said that if they were willing to sell the Negroes out of the state sentence would be waived. A similar type of case is recorded in 1749. In fact, it was becoming very frequent in minor cases for the local courts to suspend sentence with the understanding that the slave was to be sold out of the state. Such a procedure was less common in cases involving capital punishment, but it was apparently becoming the standard procedure in cases of attempted murder. Negroes were often pardoned by the Council on petitions from their masters. The Council also set the penalty aside for minors. In October, 1748, the Council dealt with a murder case involving three slaves. Two were freed because of their extreme youth

the much more lax and more humane policies of enforcement which actually prevailed."

(twelve and fourteen years) but the third was sentenced to die because he had been " a notorious Rogue for some years." Another Negro in 1764 was freed on a murder charge because of the fact that he was " by the advice and Pursuasion of some white persons prevailed on to commit the said Fact." Thus these few examples will serve to indicate that even in Maryland nearly half a century before the adoption of the code in the District some efforts were being made by the Council to temper justice with mercy at least in so far as it had jurisdiction to review capital crimes.[57] In modifying the code in the District William Cranch's court was simply acting on a precedent already established by the Maryland Council, which had shown increasing reluctance to enforce the letter of the law in every case.

In Maryland shortly before the Civil War capital punishment was abolished except in extreme cases. The barbarous punishments also fell into disrepute in that state and we find that imprisonment in the penitentiary was becoming the normal punishment meted out by the local courts. The treatment of the Negro in the Circuit court of Maryland probably improved greatly with the passing of the old forms of punishment such as branding and cropping. In the local magistrates court, however, there was still occasion for ill treatment. The slave often had to appear before the magistrate and his accuser shortly after the offense was committed. Tempers may have still been high, and there was great likelihood that the court might not be inclined to temper the letter of the law in such cases. Nevertheless, we find that the customary form of punishment meted out by the local magistrates for minor offenses was whipping and often the slave was required to be sold out of the state if he was a habitual offender.[58]

Thus even though the Maryland Black Code continued to remain upon the statute book almost entirely unreformed, the local courts in the state and in the District where the same code was applied were performing their commendable task of altering its objectionable features by judicial modification.

[57] For the work of the Council in dealing with crimes involving capital punishment see the *Archives of Maryland*, XXV, XXVIII, XXXI, and XXXII. These volumes contain the proceedings of the Council during the eighteenth century. The cases may be found listed in the index under the headings, " burglary," " murder," and " disturbances."

[58] The best study of the treatment of the Negro in Maryland is Jeffrey R. Brackett, *The Negro in Maryland* (Baltimore, 1889), pp. 26 ff.

WILLOW BROOK, COUNTRY SEAT OF JOHN DONNELL

By Edith Rossiter Bevan

Of the thirty or more fine country houses of well-to-do Baltimoreans which ringed the city a century and more ago only a handful now remain. Some of them like Mt. Clare, Homewood, Clifton and Mt. Royal are in public or semi-public possession and are maintained more or less in original state as testaments of the taste of their period. Most of them, like Montebello, described and pictured in our issue for December, 1947, Canton of the O'Donnells, Cold Stream of the Pattersons and Chatsworth of the Luxes, are gone and their sites given over to monotonous rows of houses. The growing city has engulfed and destroyed most of those that fire and neglect failed to annihilate.

It is surprising to find one of the remaining residences of that period, still possessed of much of its original elegance, serving a useful purpose though completely hidden from sight by the modern buildings of the charitable institution of which it is a part. This is Willow Brook, the home of the Donnell family from 1800 to the middle years of the century. It stands in West Baltimore, on the high ground at the southeast corner of Mount and Hollins Streets, in the block bounded on the east by Gilmor Street and on the south by Lombard Street. It is a part of the convent of the Sisters of the House of the Good Shepherd who moved into the old house in 1864 when the Convent was established in Baltimore.

Fronting northwesterly, the mansion sits somewhat above the present level of the street and is all but surrounded by modern buildings on either side and in front of it. It was incorporated in 1882 into a building abutting directly on Mount Street. The old house, with delicately wrought fan light above the entrance door, is now entered by crossing a transverse passage-way in the modern building, only a few steps from the street entrance of the convent.

John Donnell, the owner of Willow Brook, was one of many emigrants from England, Ireland or Scotland who settled in Baltimore after the close of the Revolutionary War. A number of these new citizens established themselves as merchants and being men of vision and enterprise they prospered with the quickly growing city. John Donnell's fleet of vessels carried cargoes between Baltimore and ports of Europe, Asia and the East and West Indies.[1]

Prosperity brought a more luxurious mode of living. Men of wealth bought large tracts of land surrounding the city and on the rolling hills overlooking Baltimore and the harbor and the valley of Jones' Falls they built fine summer residences to which their families moved in early June. In the higher and purer air of Baltimore County they spent the warm months in comparative comfort and avoided the epidemics of cholera and yellow fever which struck city dwellers so swiftly and so savagely. Contemporary descriptions of these country seats invariably mention a large vegetable garden and extensive orchard; often the places were landscaped and planted with rare shrubs and trees. Scant record can be found today of these fine homes which contributed so largely to Baltimore's reputation for gracious hospitality.

Donnell (1752-1827) was the eldest son of William and Ellinor (Gamble) Donnell of Castletown, County Tyrone, Ireland. His mother's aunt was Sidney Gamble who married Hugh Smith about 1715. The Smiths emigrated to Pennsylvania and settled in Lancaster County. They were the grandparents of General Samuel Smith, defender of Baltimore in the War of 1812. Samuel Smith and his brother Robert had moved to Baltimore prior to the Revolutionary War and were men of wealth and importance. According to family tradition, John Donnell settled in Baltimore at the suggestion of his cousin, Samuel Smith.[2]

In 1798 when Donnell was forty-four years old, he married Ann Teackle Smith, the seventeen year old daughter of Isaac and

[1] "In the course of an important litigation it was said of John Donnell, who ranked with Robert Oliver as a great merchant, that his directions to his captain on a voyage that included ports of Europe and Asia during the wars on the continent, exhibited a varied knowledge and a vigor and breadth of thought that would have done honor to a statesman." John H. B. Latrobe, "Reminiscences of Baltimore, 1824," *Maryland Historical Magazine*, I, 118 (March, 1906).

[2] Full information on the early generations of the Donnell family has been generously supplied by Dr. Donnell M. Owings. This account is now in the files of the Maryland Historical Society.

Elizabeth Custis (Teackle) Smith of Northampton County, Virginia, where the wedding took place.[3] Thorowgood Smith, a prominent merchant of Baltimore, who was to be the city's second Mayor and to serve two terms, was an uncle of the bride. He was not related to the other Smith family.[4]

In 1800 John Donnell bought two lots on Water Street from Mr. Thorowgood Smith, on which he erected his city residence.[5] A few months later he became the owner of Mr. Smith's country seat, Willow Brook.[6]

Though chiefly associated with the Donnell family, Willow Brook was actually built in 1799 by Thorowgood Smith (1743/4-1810) a native of Accomac County, Virginia, who had come to Baltimore before the Revolution.[7] A wealthy merchant, he operated vessels on the high seas and had a town house in the fashionable section of the town. In due course and perhaps in emulation of rival merchant princes, he built a new house at Willow Brook, previously so named, where he had presumably occupied a simple farm house. Unfortunately for Smith, he was branching out at one of the crises of our history. The outrageous seizure of American ships by French vessels acting with the Directory's approval threw our commerce into turmoil. Smith was a heavy sufferer from these captures. In February, 1800, he was obliged to declare himself bankrupt and to deed all his property to trustees for the benefit of creditors. Willow Brook passed into their hands and was offered for sale in the *Federal Gazette* of Baltimore, April 18, 1800, only a few months after its completion:

SALE BY AUCTION

On Monday

The 12th day of May, 1800, will be exposed to public sale on the premises, That beautiful, healthy and highly improved seat, within one mile of the city of Baltimore, called Willow Brook, containing about 26 acres of land, the whole of which is under a good post and rail fence, divided and laid off into grass lots, orchards, garden, &c. As this beautiful seat is pretty generally known, and the premises can be viewed at any

[3] *Federal Gazette*, Baltimore, Oct. 25, 1798.
[4] Statement of Mr. William B. Marye, to whom acknowledgement is made for other help in the preparation of this article.
[5] Baltimore City Court House, Deeds, Liber W. G. No. 62, ff. 152, 155.
[6] *Ibid.*, Liber W. G. No. 63, f. 407-9.
[7] Wilbur F. Coyle, *The Mayors of Baltimore* (Baltimore, 1919), p. 15-17.

time previous to the day of sale, it is considered unnecessary to go into a minute description of the improvements and many advantages it has over any other conntry [*sic*] seat in the vicinity of the city. The mansion house is a new brick building, upwards of eighty feet front, completely finished last fall, in an elegant manner, having every apartment that can be necessary for a genteel family. The garden and orchard abounds with the greatest variety of the choicest fruit trees, shrubs, flowers, &c. collected from the best nurseries in America and from Europe, all in perfection and full bearing. The garden is now plentifully stocked with vegetables of all kinds, and a good spring crop in the ground. In the garden is a neat wooden house, with a twelve foot passage, and five rooms; a gardener's house, wash house, spring house, stable and carriage house, a fish pond well stocked with fish, and an elegant bath with two dressing drooms [*sic*], bath and spring house, well supplied with springs of fine soft water. Any person wishing to make a private purchase before the day of sale, may know the terms by applying to

BENTALOU & DORSEY, Auctioneers.

Willow Brook was part of a tract of land, Bond's Pleasant Hills, which Mr. Smith in 1785 had leased from Philip Rogers for a term of ninety-nine years.[8] Mr. Donnell continued to add to his purchase by leasing 24¼ acres from Philip Rogers for a term of ninety-nine years at a yearly rental of £37 a year and by purchasing from several owners land which adjoined his rented property.[9] In 1819 he merged the rent and extinguished the leasehold interest held by Mr. Rogers and became the absolute owner of a fifty-three acre country seat which he continued to call by the old name of Willow Brook. This property adjoined Dr. James Steuart's estate, "Maryland Square" and was bounded on the north by the turnpike to Frederick.[10]

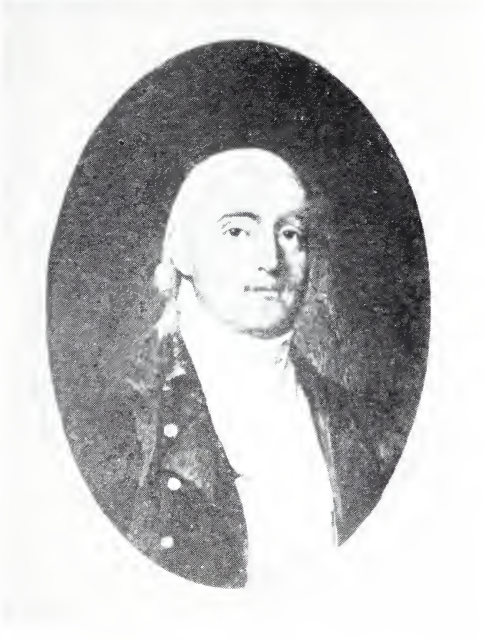
The year after the Donnells were married Mrs. Donnell's elder sister, Mary Ann Drysdale, widow of Thomas Drysdale of Virginia, married William Gilmor, son of the great merchant, Robert Gilmor, Senior, whose country seat, Beech Hill lay a little north and west of Willow Brook.[11] The town house of Robert Gilmor was on Water Street next door to the Donnell home and apparently

[8] Hall of Records, Annapolis, Baltimore County Deeds, Liber Y., f. 1.

[9] Baltimore City, Deeds, Liber W. G. No. 64, ff. 127, 443. Also W. G. No. 78, f. 423.

[10] *Ibid.*, Liber W. G. No. 151, f. 399.

[11] "A List of Marriage Bonds—Northampton Co., Va., 1706-1800," *Tyler's Quarterly*, I, 204 (Jan., 1920).

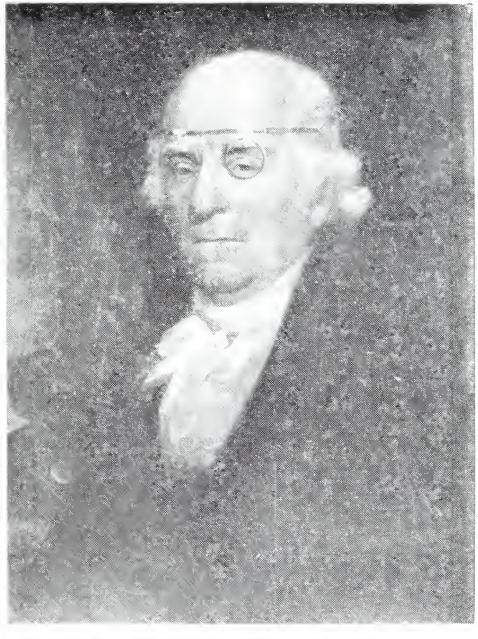


JOHN DONNELL

Master of Willow Brook, 1800-1827

Miniature by Elouis

Courtesy of the owner, Mrs. John McHenry



THOROWGOOD SMITH

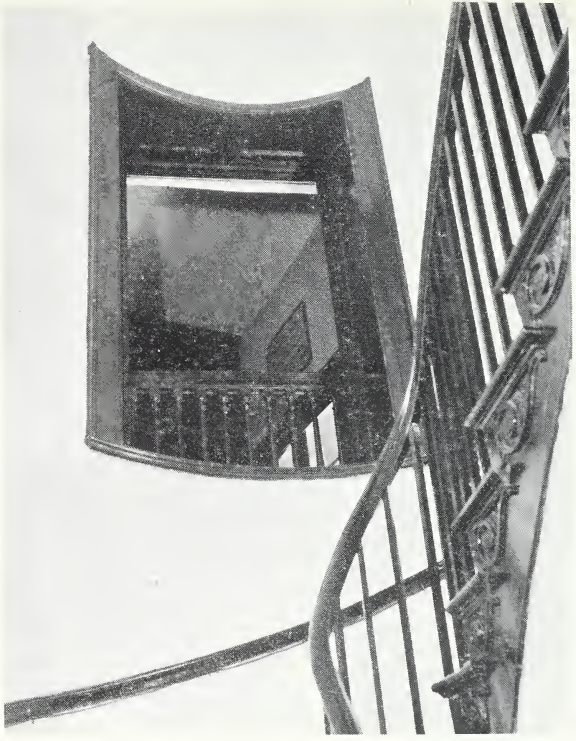
Builder of Willow Brook
Second mayor of Baltimore

Posthumous portrait by Thomas N. Neilson

Courtesy of Peale Museum

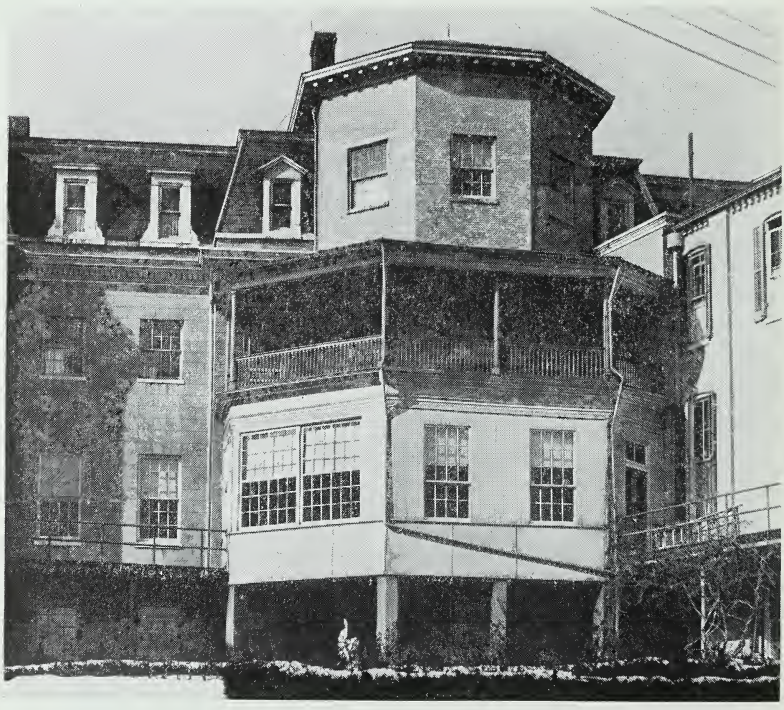
The oval drawing room at Willow Brook, looking toward door leading to entrance hall.

Detail of drawing room door to entrance hall. On this side the door itself continues the curve of the wall, being thinner in the center than at the sides.



Detail of stairway showing curve of east wall and what was originally an outside window.

Detail of northeast corner of entrance hall, showing cornice and tops of doors leading to stair hall and to a closet.



Rear of Willow Brook from garden, showing mansard roof and other late alterations. The porch around the end of the drawing room has been enclosed.

the families were on very friendly terms for the Donnells' name is often mentioned in the diary of Robert Gilmor, II.[12]

The Donnell family consisted of three sons and five daughters. Elizabeth, the eldest child, in 1818 married James Swan, eldest son of General John Swan, whose country seat, Hunting Ridge, lay a few miles farther west on the road to Frederick. The marriage of John Donnell, Jr., to his cousin Ann, the daughter of William Gilmor, must have been pleasing to both families. Ellinor Donnell married Samuel W. Smith in 1823. He was a nephew of General Samuel Smith and a son of Robert Smith who was Secretary of the Navy under Jefferson and Madison and Secretary of State under Madison. Anna became the wife of Edward D. Kemp, a Baltimore lawyer and chief judge of the Orphan's Court, son of Bishop James Kemp of the Episcopal Church in Maryland. William, the youngest son, married Mary Elizabeth Sprigg of Baltimore. Frances, the youngest daughter, married Gustav W. Lürman of Farmlands near Catonsville. By these marriages many descendants of John Donnell are living today in Maryland, but none bear the family name.[13]

Of the Smith-Donnell wedding, General Samuel Smith wrote on November 15, to his daughter, Mrs. John Mansfield in England:

> On Tuesday your cousin Samuel W. Smith was married to Ellen Donnell. Sixty were present and sat down to the supper table. The wedding has been the most splendid ever seen in Baltimore,—a large dinner on Wednesday, and an evening party on Thursday, other parties next week by the friends her attendants.
>
> The two mothers set their hearts on this match, and are very happy. The young couple will live for some time with your Aunt. They appear to be very fond of each other. His character without blemish, and is well read. She is handsome, very amiable and well educated. She is an exquisite musician, sings well, and will be eighteen on the first of January next.[14]

John Donnell grew in importance as he grew in years. He was one of the incorporators of the Baltimore Water Company, founded in 1808. His name is on the roster of the City Horse Guards in April, 1813, and on the list of subscribers to the New Dancing

[12] Latrobe, "Reminiscences of Baltimore, 1924," p. 115. Gilmor's Diary has been printed in *Maryland Historical Magazine*, XVII (1922), 231-268, 318-347.

[13] Account by Dr. Owings.

[14] Copy supplied by courtesy of Mrs. John McHenry.

Assembly Association. He became president of the Branch Bank of the United States in Baltimore in 1824 and was president when he died in 1827. His obituary in the *American*, November, 10th, lauds his inflexible business integrity and extols his acumen and spirit of enterprise which contributed so much to the advancement of Baltimore. " The death of such a man cannot be regarded but as a matter of concern to the whole community, as well as to his particular family." Mr. Donnell was a wealthy man when he died but like other shipping merchants he had met with severe losses due to the European wars and the War of 1812. In a codicil to his will he lists a number of ships which were seized or captured in foreign ports and directs that his claims against these foreign governments if paid be divided between his children.[15]

Willow Brook was left to Mrs. Donnell for her life time but how long the family continued to live there after Mr. Donnell's death is not known. In 1847 Mrs. Donnell conveyed the property to her three sons, John S., James and William. In the same year they ceded to the City of Baltimore about 3½ acres of Willow Brook for a public square. This land lay east of the house and is today known as Union Square. The fine old trees on the property were saved by the city and a bubbling spring was converted into a public drinking fountain about 1850. This fountain, now covered by a small circular Greek temple, still stands in the center of the square but is now supplied by Baltimore City's water supply.

In 1851 John S. Donnell bought from his brothers their interest in Willow Brook and became the sole owner of the estate.[16] In the spring of 1864 he sold the house and surrounding grounds—a lot 305 x 157 feet on the corner of Mount and Hollins Streets,—to representatives of the Catholic Church in Baltimore to found the House of the Good Shepherd, a home for problem girls and women.[17] Mrs. Emily (Caton) McTavish, granddaughter of Charles Carroll of Carrollton, donated the purchase price of $18,500.[18]

The Civil War was still raging when five sisters from the

[15] Baltimore City Court House, Wills, No. 12, f. 424. Ship *Augusta*, seized at Naples; brig *Fells Point*, seized at Guadaloupe; schooner *John*, seized at Leghorn; schooner *Nimble*, captured off Smyrna; schooner *Elizabeth*, seized at Fiume, Gulf of Venice.

[16] Baltimore City Deeds, Liber A. W. B. No. 455, f. 537.

[17] *Ibid.*, A. M. No. 248, f. 206, and Liber A. M. No. 169, f. 283.

[18] *Annals of the House of the Good Shepherd, 1864-1895* (1895), p. 15-17.

Mother House in Washington moved into the old Donnell home in August, 1864. Mount and Hollins Streets were not built up; it was then rather a lonely spot, almost country, and Union soldiers were encamped within a stone's throw of the convent.[19] As the scope of the work of the House of the Good Shepherd expanded new buildings were erected which now bound three sides of the block. A high wall of stone encloses the grounds on Gilmor Street, but from Union Square one can still glimpse the rear of the old Donnell house, now the convent, with its projecting semi-hexagonal room and porch.

The only known picture of Willow Brook is a miniature painting of the house in one of the medallions which decorate a set of 10 chairs, two settees and a pier table on view at the Baltimore Museum of Art. This set of furniture, which is dated approximately 1805, shows a number of country seats of the princely merchants in full color. Willow Brook is No. 6 on the numbered key which identifies each house.[20]

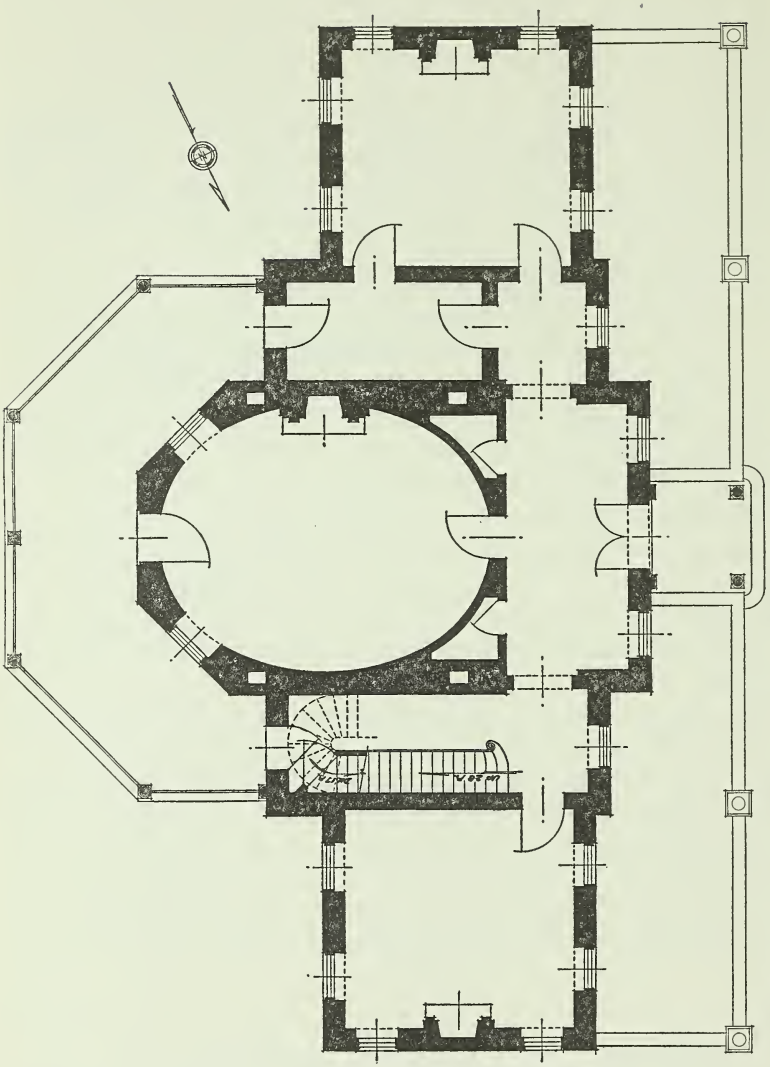
The miniature painting shows a brick house with a central part two stories in height and five windows wide. On each side is a one-story wing with hipped roof and two windows wide. The treatment of the central part is unusual. Above the three center windows is a gable roof while above the end windows there are flat roofs.

The original facade of Willow Brook is now the inner wall of the convent entrance hall. Beyond the old double doorway, now without doors, is the Smith-Donnell hallway where the plaster cornice and frieze of Adam design remain unchanged. The frames of the doorway are finely reeded; the door knobs are silver or silver-plated. The double entrance doors have been removed from the original location and are now placed at the entrance to the 1882 building. The door opposite the entrance opens on the

[19] *Ibid.*

[20] These pieces were made by John and Hugh Findlay of Baltimore and are owned by Mrs. Edward Venable and Mrs. Herbert de Roth.

[21] The writer wishes to thank Dr. J. Hall Pleasants for the loan of his notes on the painting of Willow Brook and other houses in this series. Special appreciation is due Mr. Hyde who visited Willow Brook and devoted his time and talents to preparation of the floor plan, and to Mr. Laurence Hall Fowler who made valuable suggestions which have been incorporated in the text. Several descendants of the Donnells have been most helpful in supplying information about interesting pieces of furniture and in particular examples of Lowestoft china in their possession. The china bears the monogram " J A D " standing for John and Ann Donnell.



Plan of main floor drawn to scale by Mr. Bryden B. Hyde, A. I. A.

principal room of the house—the oval room, which was doubtless the Smith-Donnell drawing room. It is now the parlor of the convent and was once used as a chapel. The room measures 25 by 22 feet, the longer dimension being at right angle to the entrance hall. The ceiling is 14 feet 10 inches from the floor. Two windows at the far end of the room flank a door which opens on the porch overlooking the garden and well-kept grounds of the convent. The door and window frames of this room are ornamented with delicate decorations. The cornice is reminiscent of the Adam style with a wide frieze. A carved chair rail 4 inches deep, ornamented as well as the baseboard, encircles the room whose crowning glory is the finely executed plaster ceiling decoration of elliptical design. There is a veined black marble mantel, probably of date later than the house. The well-placed, restrained ornamentation of this room and the admirable scale of the whole as well as of the detail, evoke enthusiasm. The room must surely have been outstanding when Smith built his country seat. It is even more so today when few examples of the type remain.

On the floor below is a room of identical size and shape, probably used as a dining room. Above the oval room was a third room of the same shape with three large windows. This room the Sisters called the " round dormitory." The low attic which they also used as a dormitory had one round window and a small window at each end. This has been completely altered to increase available space.

Owing to the slope of the hillside on which Willow Brook was built, the basement was flush with the ground and opened on a brick terrace which extended across the rear of the house. On the front the basement was lighted by a large area protected by a wall with posts supporting finials as indicated in the illustration on the cover and by the scale plan. Under a stone in one of the wings which had probably been used by the Donnell family as a bath house or wash house, the Sisters discovered a good spring of water which solved the water supply of the House laundry for some time. South of the house they found the remains of a once fine orchard—apple, cherry, and pear trees—and at the far end of the lot were two large horse chestnut trees which gave the Sisters much pleasure when in bloom.

ANNE ARUNDEL TAKES OVER FROM ST. MARY'S

By Eugenia Calvert Holland

Within a half century of its founding the Province of Maryland was suffering from "provincial growing pains." The center of population had moved far north of the original capital, St. Mary's City, near the mouth of the Potomac River. By 1680 there were five counties on each side of the Chesapeake Bay, and the need for a more centrally located capital became apparent. Faltering steps were taken to find a new location but the process was slow, and more than a decade passed between the initiation of the movement in 1683 and its culmination.[1] Sensing the need of a more centrally located seat of government, Charles Calvert, the 3rd Lord Baltimore, made the first move in 1683. At a Council Meeting at Mattapany, on July 6th of that year, a proclamation was issued "for proroguing the Assembly till the first Tuesday in October next. . . . And the Provincial Court Adjourned till the last Tuesday of the same moneth, both to the house of John Larkin at the Ridge in Anne Arrundell County." [2] This was accordingly done, and the Assembly met and continued at the Ridge until the 6th of November following.[3] The change was well

[1] None of the historians of Maryland seems to have been familiar with this early attempt to move the capital and all confine their accounts of its removal to the actual transfer of 1695. See J. Thomas Scharf, *History of Maryland* (Baltimore, 1879), I, 344, and Matthew Page Andrews, *History of Maryland* (New York, 1929), p. 199.

[2] *Archives of Maryland*, XVII, 144. The Ridge, topographically, is the watershed between South River and Patuxent River. See also Land Grants, Liber No. 16, folio 626-28, Hall of Records, Annapolis, the Lord Baltimore's Proprietary tract of land, in 1670, called "Ann Arundell Manor (alias) the Ridge in Ann Arundell County."

[3] *Ibid.*, VII, 445. Today this location is commemorated by a State road marker on the Solomon's Island Road (Route 2), north of Mt. Zion, which reads: "Larkin's Hills. Pat[ented] 1663. Charles Lord Baltimore and his Council attended the Meeting of the Assembly here October 2nd, to November 6th, 1683. Thirty-one Towns and Ports of Entry were established at this Session in the several counties along the Bay. Practically none of these towns exist at the present time."

received by the Assembly which expressed its appreciation to the Proprietor on October 24, 1683:

Your Lordships most humble and Obedient Servants the Upper and Lower Houses of this present Generall Assembly with all Imaginable Gratitude acknowledging Your Lordships great Love and Affection to the Good People of this Province Expressed in your Lordships Speech made to your two houses at the opening of this Sessions and more particularly in Conveening this Assembly and Appointing your Lordships Provincial Court to be held in this place so near the Center of your Lordships Province for the great Ease and General Conveniency of the Inhabitants thereof do with all Dutifull Affection hereby present to Your Lordship their most Humble and hearty thanks; And do further pray your Lordship to Signifie to both houses what place your Lordship Intends all future Assemblies Provincial Courts and Offices shall be held and kept at that they may take Speedy Course to make Provision of Buildings fitt for [the] reception thereof.[4]

Charles Calvert's reply to this request as to the location of future courts and assemblies appears in a record of the Upper House dated 6th November, 1683,

His Lordship being Moved by this house to Nominate a Place for the Court house &t Doth say and Declare that when a Conveniency shall be provided in South River in Ann Arundell County Sufficient for Reception of his Lordship and Council and for holding of Assemblies and Provincial Courts and the severall and respective Offices thereon Depending his Lordship will make use thereof for such Ends so long as he shall see Convenient.[5]

In naming South River the Lord Proprietor undoubtedly selected the land of William Burgess and his brother-in-law, Richard Beard, on the south bank, just north of Herring Creek. These men had settled here in 1650 at a point three miles above the mouth of South River, which provided a suitable harbor for Burgess' fleet of ships which traded between the colony and England. Commonly referred to as Burgess' Wharf, it was named Londontown in the Acts for the Advancement of Trade passed in 1683 by the General Assembly which met at The Ridge.[6]

[4] *Ibid.*, VII, 483, 495.

[5] *Ibid.*, VII, 517; Dr. Henry J. Berkley, author of "Londontown on South River, Anne Arundel County, Maryland," *Maryland Historical Magazine*, XIX (1924), 135, seems not to have been aware of this episode in the history of Londontown.

[6] J. D. Warfield, *The Founders of Anne Arundel and Howard Counties, Maryland* (Baltimore, 1905), pp. 13, 197; Maryland Wills, Liber 4, f. 244, Hall of Records, Annapolis, Will of William Burgess, 1685.

Before closing the session at the Ridge, the Lower House passed an Act " for Erecting and Building of a house for the Conveniency of holding Courts of Judicature Sitting of Assemblys and for keeping of Secretaries Office Land Office and Testamentary Office in & for this Province. . . ." Among the Commissioners appointed to survey and manage the building of the Court House were Col. William Burgess and Richard Beard, of South River.[7] The latter, deputy surveyor of Anne Arundel county, assisted Col. Burgess in laying off a portion of his plantation into lots for the agreed site of Londontown.[8] The court house was accordingly built just west of Burgess' wharves at the mouth of Glebe Creek. A pillory, cage and whipping post were set up. However, despite these preparations, Londontown was not destined to become the capital of Maryland, although it did enjoy some degree of prosperity and growth.

Little business was accomplished at the first session at the Ridge in October, 1683, and the Assembly was recalled to St. Mary's City on April 4th, 1684, to hear the reproaches of the Lord Proprietor:

> Gentlemen of the Upper and Lower houses of Assembly. Tho I had not the satisfaction I reasonably expected at the meeting I gave you in Ann Arundel; Yett I would not have you believe my adjourning you to St. Mary's was the effect of a dissatisfaction in me towards any persons here p[r]sent. I must Confess the danger I saw our Temporary Lawes in, and the necessity of preserving them, forct me to adjourne when I thought to have prorogued you. That and my desires of being neer my owne home at this time. . . .[9]

Charles Calvert probably recalled the Assembly to St. Mary's because of his imminent departure for England where his presence was required in connection with the bitter dispute with William Penn over the Maryland-Pennsylvania boundary. He left a few weeks after his address to the Assembly and never returned. After Charles Calvert's departure the plans for the removal of the capital were pushed aside by more pressing concerns. From 1685 to 1689

[7] *Archives of Maryland*, VII, 515. Upper House: Col. Henry Darnall and Maj. Thomas Trueman; Lower House: Coll. Thomas Tailler, Coll. William Burgess, Maj. John Welsh, Thomas Francis, Richard Hill, George Yates, William Richardson, Richard Hall, Nick: Gassaway, Henry Constable, Edward Darcy [Dorsey], John Sollers, Henry Ridgely, Richard Beard, and Edward Burgess.

[8] *Ibid.*, VII, 609-11; XVII, 273.

[9] *Archives of Maryland*, XIII, 4. " Temporary Lawes " were passed for a definite period and unless renewed expired. See *Ibid.*, XIII, 123.

the colony was torn apart by domestic conflicts which paralleled the civil strife in England. The disturbances in England terminated in the accession of William and Mary who promptly placed the government under royal control and left to the Proprietary merely the revenues of his Province.

The first royal Governor, Sir Lionel Copley, either because of his illness or lack of interest did nothing about reviving the project of removing the capital from St. Mary's. He died in 1693 and it was not until the arrival of his permanent successor, Francis Nicholson, that the project was revived. Shortly after Nicholson's arrival in Maryland the Assembly was convened at St. Mary's on September 20, 1694.[10] At this session the Assembly finally provided for the removal of the capital in an act which stated its reason at length:

Whereas it has been Represented to the Burgesses of this present Generall Assembly as a great and Extraordinary Grievance that the persons Inhabiting the uppermost part of this Province should be obliged to attend Assemblyes and Provinciall Courts att the City of St. Maryes being the Lowermost part of the westerne side thereof, by which meanes it doth often happen that not only many persons are deterred from seeking of Redress by due Course of Law for the Recovery of their just Rights in such Cases wherein the severall & Respective County Courts have not Jurisdicōn to hold Pleas, but also many persons criminalls Escape without notice taken of them or being brought to condigne Punishment the party or partyes Evidences against such Offend^rs, rather choosing to stifle the Fact and hoodwinke Justice, which otherwise they would have willingly detected then [than] to be put to so great an Inconveniency in attending Provinciall Courts in order to give their Evidence at the place aforesaid. And for that it is taken into consideracōn as a thing absolutely necessary that an Act should be made ascertaining in what part of this Province the Chief Seat of Judicature therein for the future should be and remaine: And being found that the appointing thereof in or neare to the Centre of this Province will most conduce to the generall Satisfaccōn and benefitt of the People.

" It is therefore humbly prayed That it may be Enacted, and be it Enacted . . . that from and after the End of the next Provinciall Court to be held at the City of St. Maryes the sixth day of November next ensuing, That parte and place known by the name of Anne-Arundell

[10] *Archives of Maryland*, XIX, 35; Francis Nicholson, who so successfully removed the Capital of Maryland from St. Mary's to Anne Arundel Town (Annapolis), was later appointed to the governorship of Virginia in 1698/9, where he again proved his ability in transfering the capital from James City (Jamestown) to Middle Plantation (Williamsburg). See William Walter Hening, *The Statutes at Large, . . . Laws of Virginia from . . . 1619.* (13 vols., Philadelphia, 1823), III, 168, 419-22.

Towne lying & being in Anne-Arundell County upon the River Seaverne be the Chief place and Seat of Justice within this Province for holding of Assemblyes and Provinciall Courts . . . And it is hereby Enacted . . . that the Commiss[rs] nominated and appointed for the Surveying and laying out of Towns by an Act made this present Generall Assembly for the appointing of Towns doe survey and lay out in the most commodious and convenient parte and place of the said Towne six Acres of Land intire for the Erecting of a Court House and other buildings as shall be thought necessary and convenient for the better accommodating and entertaining of those persons as shall have occasion to have recourse to the Assemblyes and Provinciall Courts aforesaid on or before the Twenty fifth day of December next on penalty and Forfeiture of Two Thousands pounds of Tobacco each Comiss[r] as aforesaid.[11]

The inhabitants of St. Mary's drew up a protest which they presented to the governor, but they were unable to halt the impending transfer.[12] Shortly after the passage of the act for the removal of the capital the Governor and Council took the first steps to carry that plan into effect. The Council met at Leonardtown on January 24, 1694/5 and directed that the second session of the Assembly be held at Anne Arundel Town on the last day of February. The Council also ordered the records in the State House at St. Mary's be made ready for removal to Anne Arundel Town the 12th of February, and sent Robert Mason and John Watson, Esq., together with Mr. Attorney General, Kenelm Cheseldyne, Mr. Robert Carvile, Mr. Charles Carroll, Mr. Philip Clarke and Mr. Samuel Watkins, attorneys at law, to St. Mary's to inspect the records in the state house and in the several offices within the city. These gentlemen were required to give public notice of this inspection so that any interested parties might be present. Governor Nicholson returned to St. Mary's to direct the removal.[13]

This final flourish of activity in the old state house consumed a week of hard work, involving detailed catalogues describing the condition of each book—writ books, criminal records, bonds, dockets of ships entered, journals of assemblies, books of laws, conveyances, chancery reports, and the like. It was deemed ad-

[11] *Archives of Maryland*, XXXVIII, 23-25; the foregoing act disproves the assertion of various historians that the assembly of September 21, 1694 convened at Anne Arundel Town. See Scharf, *History of Maryland*, I, 344, and Andrews, *History of Maryland*, p. 199.

[12] *Ibid.*, XIX, 71-78.

[13] *Ibid.*, XX, 189-193.

visable to have some of the records transcribed and to this end Stephen Blatchford made four copies of the Journal of the Council to be sent to England. Fair copies of the list of all the records in the Secretary's office were written and transcribed by Mr. John Pollard. The records were then packed in canvas bags provided by the Sheriff of the county, secured with cordage and sealed with the lesser seal of the province. On Tuesday, February 16, 1695, they were committed to the charge of Henry Wriothesley and John Freeman, who, with Capt. William Holland, Sheriff of Anne Arundel County, and his guard, appeared at the State House and took charge of the bags, packing them on fourteen horses and covering them against the weather with hides. A " pottle of flipe " was given the men, perhaps to warm them against the severe cold, for it had been a bitter winter, resulting in great mortality among swine and horses.[14]

The heavily burdened cavalcade filed along Mattapany Street and took the Patuxent Main Road toward Mr. Beckwith's on the Patuxent River.[15] From here they were ferried across to the north shore of the river at Point Patience in three or four boats which had been procured by William Goldthorpe of Calvert County, where they were met by the Sheriff of the County, who took charge. At night sentinels were posted to secure the precious cargo from fire or other accident. The clerks, Wriothesley and Freeman, had been instructed to " lie always in the room where the records are lodged." [16] A less arduous trip was made by the gentlemen who accompanied Mr. Robert Mason on his sloop, which also carried some records from the Secretary's office.[17] It is probable that the Governor traveled on this ship. Upon his arrival in Anne Arundel Town, he resided for a time in the house of Major Edward Dorsey " by the creek." [18]

[14] *Ibid.*, XIX, 194-197; XX, 191, 193, 202.

[15] *Ibid.*, XIX, 129; XX, 193; XXVI, 249-51. This road was called the " Three Notch Road " and is so identified today, the name deriving from an Act of Assembly in 1704 by which three notches were directed to be cut on the trees of " any road leading to a ferry." It is interesting to note that this route originated at St. Mary's City as Mattapany Path, an extension of the street of the same name. It was the first public road in St. Mary's County of which there is any record. James Walter Thomas, *Chronicles of Colonial Maryland* (Baltimore, 1900), pp. 266-268.

[16] *Ibid.*, XIX, 263; XX, 193.

[17] *Ibid.*, XIX, 202; XX, 192.

[18] *Ibid.*, XIX, 341. This was not the house known today as the Dorsey house. See Harry W. Hill, *Maryland's Colonial Charm Portrayed in Silver* (Baltimore, 1938), pp. 66-69.

The second session of Governor Nicholson's first General Assembly was held at the Court House in Anne Arundel Town on the last day of February, 1694/5.[19] At this meeting, the first to be held in Anne Arundel Town, the clerks responsible for the transfer of the official records of the Province reported to the Assembly:

> Whereas the said Records . . . were on the 19th of this instant by the Order & Authority of his Excellency . . . committed & Given to our Custody & Charge in Order to be Conveyed to this place; Wee have without any damage, loss or prejudice safely brought all and every the said Records to this Town or Ann-Arrundell and delivered and placed the same as by the aforesaid Order is directed; In testimony whereof Wee have hereunto set our hands this 28th day of ffebry 1694/5.
>
> (Signed) Henry Wriothesley—John Ffreeman.[20]

The Assembly directed that the above records be lodged in the house of Major Dorsey " under the hill," and further provided that the persons formally appointed to inspect the same " inspect the Commissary Records likewise and that they Meet at St. Maries the 15th day of April next for the said End & purpose and Cause the same to be Conveyed on horseback in the same bags which the others were Conveyed in together with the loose papers." [21] Accordingly, at St. Mary's on April 15th, 1695, the Honorable Kenelm Cheseldyn, Esq., Commissary, assisted by a group of attorneys and clerks, examined the fifty-six volumes belonging to the office of Probate of Wills and Administration and the bonds passed in the Commissary's Office.[22] They also gathered together Council books and papers, the remaining Council papers and proceedings, commencing from the time of Governor Copley's arrival until his death, many of which were still unentered. Mr. John Pollard was again present and spent seven days transcribing fair copies of the lists of all the records. These records were packed in the canvas bags previously used and sent by the same route. A strong wooden chest, for which no key could be found, was ordered shipped, unopened, to Anne Arundel Town by the Governor.[23]

[19] *Ibid.*, XIX, 119.
[20] *Archives of Maryland*, XX, 197.
[21] *Ibid.*, XIX, 122, 266; XX, 197-98.
[22] Among the attorneys and clerks assisting John Watson Esq., George Plater Esq., Mr. Philip Clarke, Mr. Thomas Grunwin, Mr. James Cullen, Mr. William Bladen, and Stephen Blatchford, together with Henry Denton, Clerk of their Majesties' Honorable Council.
[23] *Ibid.*, XX, 197-202.

As the hoof beats of this second cavalcade echoed into the north, the glorious days of St. Mary's City ended, and desertion and decay became her lot. The center of provincial activity, the color of general assemblies and excitement of the courts shifted north to Anne Arundel Town. At the third session of the Assembly held from May 8th to 22nd, 1695, in the new capital it was ordered that Anne Arundeltown was forever to be " denominated, called and known by the Name and Port of Annapolis, and by no other Name or Distinction whatever." [24]

Mr. Richard Beard, Deputy Surveyor of Anne Arundel County, who had been commissioned to prepare a map or plat of the town, was called into the house of Burgesses to report on the progress of his assignment, at which time he stated that for want of a large paper on which to draw the same, it was not yet done. The plat was not completed until October 1696, when it was carefully examined and sealed with the Great Seal of the Province at the four sides, and upon the back sealed with His Excellency's seal at arms on a red cross with red tape, to remain in the Secretary's office or to be hung in the court house. It is regrettable that the latter suggestion was not followed, for on June 11, 1697, it was recorded that " The Honorable Sir Thomas Laurence, Baronet, Secretary, to whom the custody of the Mapp of the Towne of the port of Annapolis was committed produces to the whole Assembly the said Mapp casually spoiled in some parts by the Ratts who upon view thereof, are of the opinion the same may without much trouble and charge be mended." [25]

A commission for the construction of the new State House, or Public House of Judicature, was granted to Col. Casparus Herman, a burgess from Cecil County, and the son of Augustine Herman, famed for his map of Maryland. Apparently, the Colonel neglected this assignment for the Governor and Council found it necessary to reprimand him on March 16, 1696/7:

I do admire [marvel that] you should so trifle with the Countrey in yo^{r} extraordinary delay about the State House Work, which for aught I see is not likely to be ffinish'd this half year yet, at the rate of yo^{r} manner of proceeding; besides the damage which will Ensue for want of the House

[24] Elihu S. Riley, *The Ancient City—1649-1887* (Annapolis, 1887) p. 63; *Archives of Maryland*, Vol. XIX, pp. 187, 211. Matthew Page Andrews in his *History of Maryland*, p. 201, mistakenly states that the third session met " a few weeks after the second." The actual time was more than two months.

[25] *Archives of Maryland*, XIX, 122, 501, 551-52.

being done—The Records lying in a very great danger to be spoyld by gusty weather and exposed to the hazard of burning in the place, they are now lodged, and the Countrey put to further Charge for House Rent—This comes therefore Express to acquaint you th[t] if you don't forthwith come down & bring all workmen & materialls necessary for ffinishing thereof, so that it may be fully compleated by the 13th of may next (having deferr'd the prov[ll] Court till then for you[r] gaining time) you must expect to be Arrested in an Action of 2000 ll. Sterl. in behalfe of the Countrey & in the interim I shall take Care to imploy men to ffinish it—Yo[r] immediate Answer is reguired hereto from

Read & Approved off, in Councill.
ffr. Nicholson, H. Denton, Cl. Concil.[26]

In spite of this prodding the work proceeded slowly. By the middle of December, 1696/7, a special committee of the Assembly reported that " the Weightiest part of the Work is done. We find that the House is two Thirds done and alsoe the Charge thereof." The roof, however, had not been completed and it was ordered " that in Case Colonel Herman do not forwith Send the laths Shingles and other Materials for Covering the House, persons agreed with and employed to cover with planck at his Charge. That it is absolutely necessary that the Doors, Cases, Cornish and Window fframes be immediately secur'd by priming them and clapboarding up the Windowes and Door Cases to keep the Weather off." [27] The Colonel's frequent absence from Annapolis, owing to illness, again provoked the council: " That in case Col. Herman does not vigourously proceed to goe on and finish the work that some other methods be taken and persons agreed to doe the same at his charge." [28] In the spring of 1697, Casparus Herman died without finishing the task, and Majors Hammond and Dorsey were appointed trustees to oversee its completion, and to employ necessary labor therefor. On Thursday, May 27th, 1697, a report relating to the public buildings was made to the members of the Assembly, who gave it their approbation in a resolution declaring that " the same is good substantial rough worke and that they doe approve thereof." [29]

The first State House in Annapolis was a two story cruciform structure, 46 x 22 feet on its inside measurements. It had back

[26] *Ibid.*, XXIII, 62.
[27] *Ibid.*, XX, 555.
[28] *Ibid.*, XIX, 519, 546.
[29] *Ibid.*, XIX, 519, 546-47, 556.

and fore porches, 14 x 12 feet each.[30] The building was of stone up to the water table, and all above was brick, being two full stories and a loft; the roof of cyprus shingles, was tar coated. For six feet around it was paved with oyster shells. Hitching posts and a pair of stocks were provided. The pillory cage and whipping post were brought from Londontown by George Slacum. Governor Nicholson personally ordered the copper weather vane and broad pennant to fly from the flag staff. One wonders how far at night one could see the beam from the " lanthorne " which hung from the loft window over the Commissary's office in the fore porch.[31]

A contemporary correspondent, writing to the Royal Society, described Annapolis of this time:

> Col. Nicholson has done his endeavor to make a town of that place. There are forty dwelling houses in it; seven or eight of which can afford a good lodging and accommodations for strangers. There are also a State House and a free school, built of brick, which make a great show among a parcel of wooden houses; and the foundations of a church laid; the only brick church in Maryland. They have two market days in a week, and had Governor Nicholson continued there a few months longer he had brought it to perfection.[32]

[30] *Ibid.*, XXXVIII, 24.

[31] *Ibid.*, XIX, 59, 265, 285-87, 514, 595. This first State House at Annapolis was struck by lightning during the summer of 1699, *Ibid.*, XXV, 96-97. On the night of October 17th, 1704 the State House was destroyed by fire and many records were lost, *Ibid.*, XXV, Preface, ix-x.

[32] J. Oldmixon, *The British Empire in America . . . Present State of All the British Colonies . . .* (2 vols., London, 1708), I, 195.

WILLIAM H. RINEHART'S LETTERS TO FRANK B. MAYER, 1856-1870

Edited by MARVIN C. ROSS and ANNA WELLS RUTLEDGE

(*Continued from Vol. XLIII, page 138, June, 1948*)

Rome Nov. 6th 1860

My dear Mayer

We say in old Baltimore it is a long time between drinks but I think it is a long time between letters. I have not heard from you for I dont know how long. Why dont you write to a fellow sometimes. I suppose it is the old proverb out of sight out of mind. It is allways well for you who have lots of the good old fellows around you enjoying all the comforts & luxuries of life to forget those that are away. But I can tell you it is very different with a lovelorn individual living in a heathen country among strangers were he cares for nobody & nobody cares for he.

it is too expensive for me to write so often it costs me more than my brandy. I dont know what in the devil to make of it for I have not heard from a soul in Baltimore for six months except Mr. Walters & Jones [1] what in the devil has become of McDowell if you see him demand six hot wiskey punches of him, for not writing me I find it is only by imposing a severe fine that I can bring you Baltimore fellows to your senses. Perhaps my friends are among the reformers & that they intend to ignore me intirely but I would let them know that I have made a wonderful progress in piety of late I number among my associates the American clergyman [2] But enough of this I have been in Rome all summer making the second summer in Rome. I stayed because I could not get away I was working on Mr. Walters figure & could not leave it Inclosed I send you a Photograph of it & wish your opinion The subject is the Woman of Samaria at the well just as Christ has finished speaking to her.[3] I have treated it with as much simplicity as I could & perhaps with more severity than is common in modren works. I hold that these are essentual to evry

[1] Probably Hugh Bolton Jones, 1848-1927, landscape painter but possibly J. Craig Jones, landscape painter of Baltimore.

[2] Theodore B. Lyman, 1815-1893. For years the American clergyman in Rome and Florence; afterwards he had a church in San Francisco and then became Bishop of North Carolina. He commissioned a portrait statue of his daughter Roma, and a bust of himself. He was related by marriage to the Albert family of Baltimore.

[3] Now at the Walters Art Gallery, Baltimore.

good work in sculpture. I donot mean to say that this work of mine is good but that I am making an effort in the right direction. I have tried to through as much grandeur in to this figure as I could that it might in some degree be in harmony with the majesty of the subject I have made no effort to get Prettiness. I believe it to be unworthy of sculpture intirely.

How far I have succeeded in this work it remains for others to say for as Mr. Miller once said to me if others see one quarter in your works that you do you may rest satisfied So I think myself we look at our own works with an eye warped But tell me wether you like it & no humbug dont say you like it if you donot & dont find fault in order to appear lerned but just come right out straight up & down Remember me most kindly to all of your family & any friends that may ask after me.

Yours truely

Wm H Rinehart

1861
Rome June 14th

My dear Mayer

I am afraid you think I have intirely forgotten you but I can assure you that I have not nor never will. Your kindness to me during my stay at home are as fresh in my memory as if they had been the acts of yesterday

The reason I donot write oftener is I have nothing to write about that would interest you. In Art their is nothing new worth commenting upon & the pale ticks of Italy would not interest you much.

We have had but few new arrivals of artist for a year past Hodskis [4] Waugh [5] & Weatherspoon [6] are the only ones all landscape painters

No one has left for America Williams has been talking about it but canot raise the funds. In fact most of the artis here would find it difficult to move here all live from hand to mouth. Hodskis is painting a little picture for Walters very beautiful he is a very hard working fellow Waugh is a very promising artist very industrious & hard working & a good pleasant fellow. Weatherspoon I know little about

Read [7] is still here & has done first rate this winter but will will do well werever he goes he is a very agreeable man & is acquainted with almost every body Nearly all of the American artists well remain in or about Rome this summer for the fear of not selling anything next winter on account of the troubles at home make them feel they must be economical. It is very unfortunate for me for I have already spent two summers in Rome & the climate begins to tell for the worst in my not very strong constition.

I have suffered a great deal from indigestion the past six months I am

[4] Either Milo Hotchkiss, 1802-1874, or Wales Hotchkiss, 1826- after 1879.
[5] Samuel B. Waugh, 1814-1885, portrait painter.
[6] Perhaps a mistake for Whitredge.
[7] Thomas Buchanan Read, 1822-1872, historical and portrait painter; poet. The Peabody Institute owns a portrait of George Peabody by him.

a great deal better now but not well I had a severe attack of jaundice & although I am now intirely free from that disease I still suffer from indigestion & feel that a chage of air would do me much good I am not quite certain yet weather I can get out of Italy I will go as far north as Leghorn & Florence.

Inclosed I send you a photograph of my nymph Thetis [8] The figure stoops a great deal which make the photograph appear somewhat short I have two copies to make of it it is about four feet high this little figure together with seven busts constitute my last winter work

I have not had a letter from my Father nor Brother for many months I cannot imagine why I am very ancious to hear from home

Would you be so kind as to make some inquiry of the Coxes or Jones & let me know something about them I have written several letters but have had no answers.

Do write me soon & tell me all about yourself what you are adoing & what you are agoing to do & Remember me to all old acquaintances & particularly to your Father Mother Brothers & sister & give Lewis a kick for not writing to me. These stirring times you must have lots to write about.

Yours respectfully

Wm H Rinehart

Rome Dec. 12 / 67

My dear Mayer

I received your kind letter two days ago and was delighted to hear you are doing well.

I was in Paris in August last & was very sorry not to have seen you had I have known were you were to have been found I think I should have droped down on you but know one could tell me. I saw Lucas & Grist [9] frequently but only remained a little over a fortnight in Paris

As to the statue [10] you speak of I shall be glad to make a sketch for it if I can find a book or a print of the costume of the time I have been looking about but as yet have not found any. if you should come across a drawing or print of the time I wish you would send it to me. first I must read up the history then if I find the costume I will set about it at once then I will send you a photograph. The cast of the statue life size in bronze & delivered at some sea port say Amsterdam or any other convenient to Munich would be about six hundred pounds £600 Something fine might be made connecting with a fountain but that perhaps would more than double the expense for there would not only be much more work

[8] There were four marbles of *Thetis*; none of them at present located: one was made for John Randolph in 1861, and another for Alexander Van Rensalaer in the same year; in 1873 one was bought by Philip Moen, and another was left in the studio and sold at auction in 1875.

[9] Unidentified.

[10] A statue of Lord Baltimore was projected by unidentified individuals; it was not executed. There is a photograph of the model in the Metropolitan Museum.

but the Water in course of time would cost a great deal. I like the idea of a fountain if they can raise the money but it should be a fountain worth looking at & have a constant supply of water for a fountain without water is a miserable object but fountains with water are much needed in all American cities. If your friend can raise eight or ten thousand pounds then something might be done or even less but I suppose a simple statue will be about as much as they will be willing to pay for

I will make a sketch of the figure as soon as I can but I am very busy & you must not expect in too short a time Dr. Buckler & fam [11] are here but I have not seen him since I recied your letter he has not been very well. I have a d——il of a cold and rheumatism but manage to keep at work. I am now modeling a life sized statue of Antigone [12] from Sopocles Since I have been in Rome I have not been more than four months without commission work

We have or expect a great many new artist this winter Hunt [13] Read Yewell [14] Vedder [15] W Haseltine [16] are here and Bearstat [17] Loop [?] & some others are expected besides two new sculptors

With many wishes for your success I remain ever yours

Wm H. Rinehart

Rome Feb 6th / 68

My dear Mayer

In my letter in reply to yours I stated that I would make a sketch of Lord Baltimore if I could get at the costume But I find I can come at nothing certain. Now I must ask you the favour of sending me a photograph or drawing of the exact costume of the period for it is impossible to get it here. I find from history the active life of Lord Baltimore commenced in 1632 & continued for something like a half century or the latter part of the reign of James 1st [18] Now if you will be so kind as to send me something as a guide to the costume I shall add one more obligation to the many I already owe you I would not trouble you but

[11] Dr. Thomas H. Buckler, 1812-1891, of Baltimore and his wife Eliza Ridgely, the widow of Henry White. The family traveling consisted of Mrs. Buckler's children, Henry and Julian White, and William H. Buckler (b. 1867). Reinhart made busts of Dr. Buckler, Henry White (1850-1927) and possibly William H. Buckler.

[12] *Antigone* was commissioned by John H. Hall of New York who allowed the sculptor to choose the subject himself. This is now in the Metropolitan Museum, New York; the Peabody Institute owns a reduction of it, the gift of August Sisson.

[13] William Morris Hunt, 1824-1879, portrait and landscape painter.

[14] George H. Yewell, 1830-1923, portrait painter of Maryland; Reinhart's study of Mrs. Yewell is owned by The Walters Art Gallery.

[15] Elihu Vedder, 1836-1923, portrait, historical and subject painter who mentions Reinhart affectionately in his *Digression of V.*

[16] William Stanley Hazeltine, 1835-1900, sculptor.

[17] Albert Bierstadt, 1830-1902, landscape painter.

[18] The writer's ideas of history were somewhat confused but his dates for the second Lord Baltimore are correct.

do not know how else to get at it. For a sketch it is not so very particular if one do not get it quite tru. Rome is getting quite full of strangers mostly Americans. I wrote you we have an unusual number of American Painters this winter but up to the present time they have been selling very little people complain of hard times at home & the high exchange

Some months ago I saw an old friend of yours Mr. Conley but cannot tell wether he is still in Rome or not as I get out so little

Now please let me know if you can or canot do anything for me if not I will try some on in England.

The Buckler have gone to Naples also C. Stewart [19] I am modeling the Drs [20] & Yung Whites [21] Busts

Yours ever

Wm. H. Rinehart

Rome July 21 / 68

My dear Mayer:

I suppose you think I have been a long time answering your letter the fact of the business I have been quit worked and when I got your letter with the drawings I set to work at once to make a sketch but two days afterwards in came two busts & from that time until the last of April I hardly knew which way to turn the sketch fell to pieces of course when the busts were finished I found it absolutely necessary to go on with my figures that I commenced in the autumn which I am happy to say all of my friends think my best work. I inclose you a small photograph of a very hasty sketch not being certain of the costume I have taken the one I liked best but in case the statue is to be made I would should [*sic*] go to England & be certain of both costume & portrait. if you think this worth sending to you friend send it but if not write to me & give me your sejestion & I will make another when I return I have put the charter in one hand to give variety it would also help to explain the attitude.

I think the statue [22] should be in bronze about 7½ feet high & the pedestal in granite the whole cost would be about I think (£1,200) or 1,300 sterling. I cannot tell exactly until I hear from some bronze caster the increase of six inches in height make a great difference in the price of casting. I am going north & leave this evening will return the latter part of September but if you write I shall get your letter in the course of a month as I will have my letters sent some were as soon as I find out were I am agoing. let me know your home for the summer or rather the month of September I may go through Paris or rather come through

[19] Charles Stewart, 1828-1900, of Baltimore, merchant; he commissioned a marble *Sleeping Children*.

[20] Dr. Thomas Hepburn Buckler, 1812-1901, of Evergreen, Baltimore; he took his medical degree at the University of Maryland, 1835.

[21] Henry White, 1850-1927, of Baltimore and Paris; United States Ambassador to France.

[22] This projected statue of Lord Baltimore was never executed, nor are the individuals negotiating for it named.

on my way back I should like to have a talk with you excuse this disgruntled letter for I have so much to think of today as always the case when one is leaving.

ever your firm old friend

Wm. H. Rinehart

Rome Jan 2 / 70

My dear Mayer

I suppose you think my an awful correspondent & so I am I am sure I ought to have written you long since to thank you for the print you sent me by Mrs. Herriman [23] I like it very much & was very glad to learn from them that you were looking so well & in such good sperits. of course they told you about the good time we had together last summer. I enjoyed it as much as any trip I have ever taken Rome is not near so full as last winter this time & it looks as if we were not again to have much of a winter for art in N York there is nothing doing whatever so a friend wrote me the other day. There had been scarcely anybody around to the studios yet but perhaps it will be better later Mr & Mrs Hollins [24] are here from Balt also Mr & Mrs Corner [25] & Paul Geardenin [26] C Carroll [27] & a Mrs. King [28] is about all I have heard of from our old town. Mr. & Mrs. Herriman ar pretty well but not so well as when I left them in Paris I am engaged upon a statue of Clytie [29] *nude* & hope to get it done & a couple of weeks & will then send you a photograph we have had the worst weather I have ever seen in or out of Italy but today it is clear again but I am afraid not yet settled. The streets ar filled with Cardinals Bishops & priests. The Former in read the Bishops purple priests black of course the latter make ¾ of the number more so black predominates I think the counsil will be a fisil the pope is bound to have it all his own way no one is allow to speak without his permission. What is the use of a counsil if every one has to speak & vote as the pope wishes (*stuff* & *nonsense*)

What are you adoing now write me & let me know

So Alfred is married again I hear

Always your friend

Wm. H. Rinehart

[23] Mr. and Mrs. William H. Herriman were Americans, resident for many years in Italy. They were intimate friends of Rinehart's and Mr. Herriman acted for the executors of his estate (William T. Walters and B. F. Newcomer) in closing out the Roman apartment and studio; the Peabody Institute owns a series of letters from Herriman to Walters in regard to this affair.

[24] Possibly Cumberland Dugan Hollins, 1823-1897, and his wife Annie M. Schaefer.

[25] Probably Mr. and Mrs. William H. Corner, of Baltimore.

[26] Unidentified.

[27] Probably Charles Carroll, 1827-1895.

[28] Unidentified.

[29] This was considered by the sculptor to be his masterpiece; the first marble was brought by John W. McCoy of Baltimore and presented to the Peabody Institute.

REVIEWS OF RECENT BOOKS

The Maryland Germans. By DIETER CUNZ. Princeton University Press, 1948. xi, 476 pp. $5.00.

As a nation grows out of its pioneer stage it begins to be introspective and to discover it has a "soul." Folkloristic legends develop of such persistence that they are accepted by even the hardshelled historian.

Two such legends in American history are the melting pot thesis and the belief that German language and culture were once so strong in America that they almost supplanted "Anglo-Saxon" language and culture. The latter legend has long been disproved through the efforts of American historians of German extraction themselves, the former is still prevalent because no better symbol has been created to indicate the give and take, friendly or hostile, of the various ethnic groups coalescing into an American nation.

Three groups in America, the Louisiana French, southwestern Spanish and the Germans of the middle colonies and the middle west, have, in salamander fashion, resisted the melting pot process, but their Americanization in the accustomed meaning of that much abused word has progressed inevitably. Only in Puerto Rico does the U. S. A. have anything remotely similar to the Irish problem of the nineteenth century British empire.

To be sure, the Germans of Pennsylvania, known to nationalists and collectors as the Pennsylvania Dutch, deserve special mention in that they are a melting pot within a melting pot.

The melting pot thesis serves Dieter Cunz in *The Maryland Germans* as a nucleus for his penetrating study of German-speaking immigrants to Maryland from colonial times up to the present. But nowhere is the melting-pot motive so sentimentalized that the scholar of the future, who conceivably may have an entirely different point of view, will not be able to utilize this "story of a special group under special circumstances." In fact, so little sentimental is the work that the honest convictions of the author emerge strikingly and win the respect of the germanist or general historian, even when deductions here and there are open to question.

Professor Cunz correctly, in my opinion, makes a difference between the Maryland Germans of the colonial period who were like those immigrants of Pennsylvania whose ancestors are now the "Pennsylvania Dutch" and the Maryland Germans of the nineteenth century upon whom he bestows the commonly used word German-American. This latter group,

which tried persistently to retain German culture and folkways as part of its American rights, is the real subject of Cunz's study. Citizens of Baltimore who can still observe what is left of this complex have generally not been aware that there was any other kind of German in America. It is even doubtful whether H. L. Mencken, who is considered by Baltimore German-Americans in spite of his protests, to be one of them, knew at the time when he said the German-Americans were imposed upon America as a severe but just punishment for her sins (page 414), that there were Americans of German descent who were different in their reactions from the Baltimore city Teutons.

However, even Mencken in his nostalgic moments regrets the passing of colorful little Germany as it is described in the last half of Cunz's book. Baltimore seemed to be richly supplied with German churches, German newspapers, German clubs, restaurants, bilingual schooling and, of course, exotic characters (from the "Anglo-American" point of view).

Among the non-Germans and a growing part of the German group itself there seems to have been an impatience with the allegedly unrealistic attitude of the Germans in holding on as Americans to much of their old-world heritage, impatience which Cunz seems to share in a gentle sort of way. He points out that this impatience—unbiased foreigners might call it chauvinism—for a time welded the Germans into a defensive group, but also produced the hysterical anti-German discriminations of the first world war. He thinks that there was less discrimination against German language manifestations in the second world war because the "German-Americans" had become simple Americans of German descent. When Sergeant Paul J. Wiedorfer was honored, German-Americans did not stress his German descent, nor did the Baltimore population ignore it.

Cunz points out that the German-Americans as a distinct group were city dwellers and largely merchants, artisans and laborers. Farmers who lacked the little Germany spirit were quickly "Americanized." (Of them Cunz should have explained that some, as for instance in the Hagerstown area, were "Pennsylvania Germanized" or fused with the Pennsylvania Germans themselves pushing across the border into Maryland as particularly in the Hagerstown section. I have heard a report which I have not as yet been able to verify that there are farmers in the Hagerstown area who still speak Pennsylvania German.) Intellectuals among the immigrants found a more congenial point of contact with members of the corresponding English-speaking caste rather than with the German-American masses and became assimilated even in the first generation.

Cunz closes his book with an account of the arrival of the Amish in St. Mary's County fifty miles south of Washington, D. C. The Amish, an old Pennsylvania German sect and excellent farmers, have started a move into Maryland because of conflicts with Pennsylvania school laws. At the risk of being charged with picayune criticism of an otherwise excellent book, I should like to correct the statement on page 423 that "their quaint, archaic, colorful Pennsylvania German dialect is also used for their religious ceremonies." The fact is that the Amish use "Hochdeutsch,"

that is, literary German, for their liturgy and sermons, although it may be admitted that their archaic dialect-colored pronunciation, use of obsolete expressions and an occasional English word, may well give to the uninitiated the feeling that they are using "dialect."

In this connection I should also like to point out one other minor lapse. Cunz uses Pennsylvania German and Pennsylvania Dutch in a slightly confusing way. (No hyphen should be used!) Both terms are used indiscriminately for American German of Pennsylvania character, as contrasted with later German. Such discrimination is legitimate for the second half of the nineteenth century, questionable for the first decades of the nineteenth century and completely out of place for the colonial period, when all Germans, like all other Europeans, were not yet American. A note on what the author means by "Pennsylvania Dutch" would be of value for Marylanders and other Americans outside of the Pennsylvania German area.

The make-up of the book is pleasing. The Princeton University Press is to be congratulated on the attractive volume. (Incidentally, the tulip motif on the title page is more characteristic of the Pennsylvania Germans and their Maryland border cousins than of the German-American element of Baltimore.) The reviewer, who by inclination is not a comma chaser, finds no striking errors of fact, language or punctuation. Professor Cunz, to whom English is an acquired language, is to be congratulated on his accurate and expressive English.

RALPH CHARLES WOOD.

Muhlenberg College, Allentown, Pa.

George Washington: Volumes I and II, Young Washington. By DOUGLAS SOUTHALL FREEMAN. New York: Charles Scribner's Sons, 1948. 549 and 464 pp. $15.00.

Before the commander-in-chief and the president, who are held quite rightly in considerable awe, there was a young man who need not be held in awe at all. He was nice enough but unimportant. His family was in society but not at the top of it; he himself was a younger son, skimped in both education and worldly goods. He had, too, his share of human imperfections, growing up serious and ambitious, proud, touchy, judgmental, humorless, and a little insecure. He took to surveying and made money and acquired land at a precocious age. He copied maxims for his conduct, learned to dance, wrote poetry to girls, unfortunately fell in love with the one who was married to his best friend. But the great love affair of his life, and he entered upon it in these volumes, when he was young, was war. "I heard the bullets whistle," he wrote home after Great Meadows, "and, believe me, there is something charming in the sound."

Probably he was a fairly simple young man—simple, that is, as complex human beings go. Yet the author of his young life has a tremendously involved problem on his hands. Because George Washington became famous, and because in that obscure youth of his nobody had bothered to set down many facts, there grew up distortions, legends, family traditions,

and head-on contradictions. All kinds and conditions of people, with motives of all shades, contributed to the mess which, now, a Washington biographer must try to straighten out—knowing before he tries that he cannot fully succeed.

These first two volumes of the Freeman projected six-volume work take Washington to the age of twenty-seven, and in a thoughtful chapter at the end evaluate his equipment, his good and bad points as a soldier, and the personal qualities which marked his character in youth as in maturer years. They contain also the bulk of the background material assembled by Doctor Freeman and his research staff—which is headed by Dr. Gertrude R. B. Richards and which cannot be too amply praised. Some of it is new to the general reader, and all of it is extremely interesting. If the effect on young George Washington is to overshadow him with mountains of Virginiana, that was unavoidable. Later, of course, he will not be young and unimportant, and neither Virginiana nor the Revolution can overshadow him.

Because these first two volumes bear the burden of the background material, the narrative of Washington's life moves more slowly than we may expect it to do in the subsequent volumes. Not that his courtship of Martha Custis was a fast and furious affair at best, but when fourteen pages about her first husband's relatives are inserted we feel glad, after all, that this is old, familiar material, so that we need not wait suspensefully to know how the story ends.

Actual mistakes are, for a work of this magnitude, amazingly few; but as always when real facts are meagre and interpretative judgment must bolster the presentation, readers' opinions will be divided. For instance, I hardly thought it followed that "As George neither sang nor played an instrument," he paid his "Musick Master" for dancing lessons and not music lessons; or that "[Doctor] Lanahan also must have had the disease [smallpox] previously, because he did not hesitate to attend George." I did agree about the robbery of George's clothes while he was in swimming —obviously, to me, the thieves merely emptied the pockets and left the clothes behind, just as you leave a bank behind when you rob it—but some of Doctor Freeman's eminent predecessors disagree here too.

Of the almost innumerable predecessors, it seems probable that this author will have to stand comparison chiefly with John Marshall, who wrote before modern research uncovered some of the best material; brilliant, careless, smart-aleck Woodward; Fitzpatrick, the soundest scholar of the lot, but a hero-worshipper who refused his fences at Sally Fairfax; and Hughes, who regrettably did not finish. But it is early days for comparisons; early days, indeed, to pass judgment of any kind on a work only well begun. This is especially true since these first two volumes, highlighted only by the battle of the Monongahela, have given the author little scope for his most distinguished talent, the ability to write military history better than most professionals. The many excellencies they show, however, make us look forward to what may very well prove the definitive Life.

ELLEN HART SMITH.

The War of 1812. By FRANCIS F. BEIRNE. New York: E. P. Dutton and Co., 1949. 392 pp. $5.00.

Including the Revolution, this country has fought seven major wars. Of these, the War of 1812 has been greatly neglected both by historians and by the people of the United States, in spite of the fact that it gave us our national anthem, and, more important, was a powerful contributing force in welding the individual states into a nation. True, the New England states were violently opposed to the war, traded with the enemy, and discussed secession, but as a whole the United States were more nearly united in 1815 than they had ever been before or were to be again for nearly a hundred years. Most of us remember from our American history at school that the Star Spangled Banner had something to do with the War of 1812, that a ship named *Old Ironsides*, and a few other old-fashioned American warships called "frigates" beat the British Navy, while a Commodore Perry was doing the same thing on Lake Erie. We remember, too, that in some unaccountable way the British captured and burned Washington, and that Andrew Jackson, a pirate, and some cotton bales defeated Wellington's veterans at New Orleans. There was very considerably more to the war than that, but until Mr. Beirne's book was written the rest of the information could be found together in only one other: Lossing's *Field Book of the War of 1812* published in 1868.

The naval aspects of the struggle, aspects which have been more fully analysed than any other phase of the conflict, have been fully described in many places by many competent students. Theodore Roosevelt's *The Naval War of 1812*, and Mahan's *Sea Power in Relation to the War of 1812* are comprehensive, objective, and accurate accounts of the conflict at sea and on the Great Lakes. There are a few good studies of some of the individual land campaigns. Nowhere, except for Lossing, whose objectivity is as suspect as his book is tedious, has there been until now competent, integrated, and unprejudiced history of the war as a whole. Mr. Beirne's book, therefore, fills a serious gap, which had existed for more than a hundred years, in American military history.

Let it be said at once that Mr. Beirne has written an interesting as well as an edifying book. One puts it down regretting that it is not longer but feeling that one now knows what the war was about, how it was fought, why it was fought that way, and what manner of men they were who played the leading roles in a struggle, small even in its own day by comparison with other wars, but of vital concern to its American participants, and almost as important to the nation. To any one familiar with Mr. Beirne's daily contributions to the newspaper which has the good fortune to have him on its staff, it comes as no surprise that the book is well and clearly written, with more than an occasional flash of humor, or that it affords unmistakable proof that history need not be dull merely because it is history.

The diplomatic and political events which led up to the War of 1812 were complicated in the extreme. In eight short chapters Mr. Beirne

untangles them, and then goes on to describe in detail the various campaigns of the war itself. His descriptions of action on land are excellent. He gives sufficient detail to make his battle scenes vivid and to breathe life into the participants, but he never gets lost, or loses his reader, in the maze of trivia with which so many military writers encumber their work. The misfortunes of Generals Hull, Harrison, Wilkinson, and Winder on land and the victories of Commodores Hull, Rodgers, Perry, and Decatur at sea are contrasted, analyzed, and evaluated. The evaluation leads to certain conclusions, conclusions valuable today, as Mr. Beirne points out to some purpose in his last chapter.

It requires a brave man to attempt to write critically of war at sea between 1660 and 1815. This is the period covered by the monumental Sea Power series of Mahan, and the historian who treats of naval events in that era invites comparison with Mahan's work. From this comparison Mr. Beirne emerges extremely well, but not completely unscathed. In narrating the events which led up to the battle off Salem, Massachusetts, between the USS *Chesapeake* and HBMS *Shannon*, Mr. Beirne quotes the challenge which Captain Broke of *Shannon* sent to Captain Lawrence of *Chesapeake* and states: " Once Lawrence read the challenge the thought of declining it never entered his mind." Both Mahan and Roosevelt are specific in declaring that Lawrence had sailed with *Chesapeake* before the challenge reached Boston and that it was forwarded by Bainbridge to the Navy Department in Washington. While trivial in itself, this error leads to conclusions which can be questioned.

The fact that *The War of 1812* was written for popular consumption rather than for the scholar does not invalidate it as an important contribution to military literature and to American history. It is time that Americans knew something about that war. As Mr. Beirne aptly and pointedly says in his concluding chapter: ". . . the War of 1812 now stands revealed as the initial stage in a logical sequence of historical events in which World War I and World War II have been succeeding stages." In many respects the War of 1812 was a comic opera affair. It was not so for those who fought it, it is not so for those who find the causes of present events in the events of the past.

The book is illustrated with eleven maps and charts prepared by Dorothy de Fontaine. They are most helpful in following the campaigns and battles and materially assist the reader in other respects.

JOHN PHILIPS CRANWELL.

Liberty Against Government. The Rise, Flowering and Decline of a Famous Judicial Concept. By EDWARD S. CORWIN. Louisiana State University Press. 210 pp. $3.00.

In this perspicacious volume Professor Edward S. Corwin, the nation's outstanding constitutional historian, has expanded a lecture delivered at

Louisiana State University wherein he developed the oldest theme underlying our constitutional history, that of *Liberty Against Government.* In tracing the growth of this idea, Professor Corwin finds its origin in the writings of Cicero. From this base he follows his theme in the writings of numerous English lawyers on across the Atlantic to America. Analyzing the concept of natural law "as the informing principle of a universal moral order" developed by Cicero, he traces the gradual contraction of this concept in the hands of English lawyers to one limiting the power of governmental action; a doctrine embedded in American constitutions.

Legislative sovereignty in America, as a result of the Revolution, became subject to a more basic and fundamental popular sovereignty, whose origins the author finds in the popular assemblies of Greece and Rome. Judicial review was inaugurated in the United States to see that government did not expand its authority and encroach upon popular sovereignty.

Prior to the Civil War the Supreme Court with John Marshall leading the way came virtually to sanctify propertied and other vested interests primarily by stressing the "obligation of contracts" clause of the federal constitution. In contradistinction to what the author happily terms "the Doctrine of Vested Rights" there developed "the Police Power" amongst the states as a weapon to challenge vested rights in the name of the public interest. The "great case of Wynehamer v. State of New York" (1856), a state decision, suggested to the Supreme Court in the latter decades of the nineteenth century a solution to the embarrassing problem of the police power through the use of the "due process clause" which was made applicable to the states after the Fourteenth Amendment became part of the law of the land.

The "due process clause" of the Fourteenth Amendment came to support the gospel of laissez-faire rampant in the United States in the later nineteenth and twentieth centuries from regulation of any sort in the economic field. With the court as a perpetual watchdog, liberty in the economic sphere became something that government could in no way modify or regulate in the public interest. Police power, Professor Corwin explains, became "cabined, cribbed, confined" to the restricted area of "public health, safety and morals."

With the advent of the New Deal this concept of liberty against government went into eclipse. The case of West Coast Hotel Co. v. Parrish (1937) marks the beginning of a distinct period in our constitutional history. The Supreme Court now began to encourage progressive legislation, to support labor unions, racial minorities and religious sects against restrictive legislation. The "due process clause" was revitalized in cases originating chiefly in southern states to see that accused individuals received fair trials. Thus under the New Deal at least the concept of "liberty" lost its "purely propertarian connotations" and has assumed "a distinctly equalitarian tinge." Whether these developments continue of course remains to be seen.

Richard Lowitt.

University of Maryland.

The Puritan Oligarchy: The Founding of American Civilization. By THOMAS JEFFERSON WERTENBAKER. New York: Charles Scribner's Sons, 1947. xiv, 359 pp. $5.00.

This is the final volume of Professor Wertenbaker's trilogy on *The Founding of American Civilization.* In it the author has departed in two significant respects from the pattern of the earlier volumes. In *The Middle Colonies* and *The Old South* he gave considerable attention to each of the colonies in the area under survey; in the New England volume he deals almost exclusively with Massachusetts. In the earlier studies he emphasized the four forces which have together formed American civilization: the transit of European civilization, the local environment, the continuing intercourse with Europe, and the mingling of various groups in the American "melting-pot." By contrast the present work does not allude specifically to this thesis. The environment is described and the late-seventeenth-century currents of world thought are credited with a share in the ultimate collapse of the "New England Zion," but these forces are not unduly stressed. The melting-pot does not even appear in this account of an essentially homogeneous people. We are left, then, with the transit of a particular variety of European culture—Puritanism. The book is an exposition and interpretation of the establishment, characteristics, and ultimate fall of the Puritan state.

The distinctive features of this state were "congregations whose autonomy was derived from a covenant with God, a civil government in which only Church members participated, an educational system designed to buttress the orthodox religion, a rigid code of morals, the suppression of heresy." In addition to discussing these themes, the author devotes chapters to the town system, to Puritan literature, and to architecture and music. The Puritan state, he feels, came to be undermined by the expansion of foreign trade, the growth of fisheries, the shift from the agricultural village to the farm, the development of rationalism, and the intrusion of heresy. The later leaders of the oligarchy fought an inevitably losing battle.

Although the author clearly has very little personal sympathy for many of the ideas of the Puritans, he writes without bitterness and seeks to treat them with complete justice. Only occasionally will a fair-minded New England reader feel that the founders of Massachusetts have received something less than their due. In subject-matter the book is probably the best balanced of the three. While the author allows, perhaps, a disproportionate amount of space to the witchcraft episode, he succeeds in presenting all the main features of the narrative and in discussing all the significant characteristics of seventeenth-century Massachusetts society. Nowhere else today will the general reader find as thoughtful and well-integrated an account of the great Puritan experiment.

LEONARD W. LABAREE.

Yale University.

Archives of Maryland, LXIII. Proceedings and Acts of the General Assembly of Maryland, 1771 to June-July 1773. [Assembly series, vol. 31.] Edited by RAPHAEL SEMMES. Baltimore: Maryland Historical Society, 1946. xl, 455 pp. $3.00.

This, the sixty-third volume of the *Archives* and the thirty-first of the proceedings of the Assembly of the Province, is, like those previous, from original manuscripts. It embraces the sessions of October-November 1771 and June-July 1773, with Frederick Calvert, Lord Baltimore, and Henry Harford, as Proprietors, and Robert Eden as Royal Governor.

The volume is an enviable example of independence of elective legislative assemblies, so necessary to free government, over asserted executive influence and power. The colonists were, for the most part, pure Anglo-Saxon stock. Their representatives in the elected House, serving without compensation, were the gentry or land-holding class. Knowing their own privileges as well as the inherent rights of freemen they were jealous in maintaining them and consequently resented and repelled any encroachment by executive authority—whether from the Crown, the Proprietors or the Royal Governor.

The material, therefore, shows many conflicts between the elected House and the Upper House (Governor's Council) and the Governor himself. An outstanding example was the dispute over levying and collecting fees of certain public officers, the means of their compensation. Tobacco was currency and to prevent change in value the Assembly of 1763 fixed its price, but the act, like most laws of the day, expired by its own limitation. In 1770 the Upper and Lower Houses failing to agree on renewal, the Colony was left without a fixed system of currency. The Governor proceeded to issue his proclamation directing collections under the expired act.

The House without hesitation asserted its privileges. By resolution it pronounced that the "Representatives of the Freemen of the Province have the sole right, with the assent of the other part of the Legislature, to impose taxes or fees, and that the imposing or collecting of any taxes or fees, on or from the inhabitants under pretext of any proclamation, in the name of the Lord Proprietor, is arbitrary, unconstitutional and oppressive"; that the proclamation of December 26, 1770 was "illegal, arbitrary, unconstitutional and oppressive," and that the advisers of the proclamation were "enemies of the peace, welfare and happiness of this Province, and the laws and constitution thereof." Here was independence equal to any appearing in the assembly adopting the Declaration of Independence.

So warm was the dispute that the House, sitting as the Grand Inquest of the State, a power reserved to our own present House of Delegates, imprisoned the Register of the Land Office. Charles Carroll of Carroll of Carrollton, describing himself as "First citizen," and Daniel Dulany, Jr., as "Antilon," carried on a debate in the *Gazette*—the first upholding the House and the other defending the Governor.

It was clearly this dispute, and perhaps others, that gave victory to the

opponents of the Governor in the election of 1773 of a new House. Even in Annapolis, the place of Royal residence, the opposition was victorious. There a mock funeral was had in celebration.

The clergy of the Church of England also had difficulty. Drawing compensation from the State, the House reduced the amount. Patriots such as Samuel Chase and William Paca entered the dispute as well as that doughty Royalist clergyman, Rev. Jonahan Boucher, sometime Rector of St. Annes.

All of this, and some of lighter vein, appears. There is the appropriation in 1773 to aid Virginia in erecting a light house at Cape Henry; an act (30 pounds) for "parchment, paper, ink powder and quills" for use of the Assembly; a bill (failed of passage) prohibiting "buying and selling of offices"; a duty on Negroes imported into the Colony; an act to enlarge Baltimore Town by including Fells Point—some 80 acres; the House first declining to seat Jonathan Hager, founder of Hagerstown, because he was a naturalized subject, rather than a natural born subject, but later, after his second election, qualifying him; and last, but not least, an act for relief of prisoners for debt. That was a day when one might be jailed for failure to meet his bills. One colonist even petitioned the Assembly for relief from arrest and law suits for ten years to support his wife and five children. His petition was refused.

The appendix contains the order of the King in Council of March 5, 1773, ordering Governor Robert Eden to qualify as his own successor, back of which is a lengthy but interesting item of colonial history. It involved the very title of the Province.

Such is but a glimpse of the content of the volume. The student will be rewarded in his study because in the proceedings he will find the very life of the Colony itself. All is systematically and accurately arranged by the skillful hand of the historian-editor.

CHARLES C. WALLACE.

The Silversmiths of North Carolina. By GEORGE BARTON CUTTEN. Raleigh: State Department of Archives and History, 1948. 93 pp.

North Carolina is to be congratulated in having followed the example of her neighboring state to the south in beginning a study of her early arts and crafts. *The Silversmiths of North Carolina*, a scholarly contribution to this end by George Barton Cutten, has recently been issued by the State Department of Archives and History, and is a most welcome addition to our knowledge of this craft in the South. This book, together with E. M. Burton's *South Carolina Silversmiths*, published in 1942, disproves the general impression that the craft of silversmithing was little practiced south of the Potomac during the Colonial and early Federal periods.

Mr. Cutten lists over two hundred silversmiths he has found working in North Carolina before 1850, and gives biographical sketches of many

of them and notes on their silver where he has been able to trace examples of their work. More illustrations and descriptive notes on the objects traced would have added to the value of the book. A few of these North Carolina silversmiths were at work before the Revolution, but immediately following the war their numbers rapidly increased. Judging by the illustrations of silver made by such men as Freeman Wood of New Bern, who came to that town from New York City in the early seventeen nineties, the work of some of these silversmiths was of a high order. Illustrations of the silversmiths' marks, in several instances actual photographic reproductions, add much to the value of the book.

The publication of a volume such as this invariably results in examples of the work of silversmiths mentioned only by name coming to light. Much early silver made in any American community has in the course of time become spread over the country at large and examples which have been preserved turn up in remote places in the hands of descendants of former owners or of collectors. Alphabetical listings of North Carolina silversmiths now for the first time publicized will certainly result in the identification of silver, hitherto unattributed as to maker or locale, made by some of them, whether the mark bears the maker's full name or only his initials. Even in the case of initialed marks unless the combination of initials is very commonplace, it will be found by owners that they have in their possession examples of silver made by one of these North Carolina smiths which before the appearance of this work they have been unable to identify as to the maker or the place where it originated.

Books already in print on early silversmiths who worked south of the Mason and Dixon Line—in Maryland, North Carolina, and South Carolina —call to attention silver made in these three states. Why Virginia, usually so alert in bringing to light all phases of its Colonial history and its crafts, has neglected the study of its eighteenth and early nineteenth century silversmiths is difficult to understand. The writer knows it to be a most fertile field. Colonial Williamsburg, Incorporated, should accept the challenge offered it, and give Virginia silversmiths the attention they deserve.

J. Hall Pleasants.

The Anglican Church in Delaware. By Nelson Waite Rightmyer. Philadelphia: Church Historical Society, 1947. 217 pp. $3.00.

This book traces the story of the Anglican Church in Delaware from its beginnings in the last quarter of the 17th century to the call in 1792 of the first General Convention of the Protestant Episcopal Church in the state. The first four chapters are devoted to the missions in each of the three counties and that at Appoquinimy in Newcastle County, with a brief account of each of the several ministries. Then follow four chapters containing generalizations on such subjects as the relations of the Anglicans with the Swedish Lutherans and the Methodists, church practices, and the

influence of the church on education. The final chapter treats the confused period of the Revolution and the immediate post-war years. There are also two interesting appendices, a well arranged bibliography, and an index. One wishes for a better map than the one provided.

Dr. Rightmyer has written a scholarly work, based for the most part upon contemporary documents, particularly correspondence from the archives of the Society for the Propagation of the Gospel in Foreign Parts. He has recorded faithfully, unsentimentally, and yet sympathetically what his sources disclose. His book is the first account that has been given of the English churches in Delaware as a group, and it provides a solid foundation for further studies that may follow. Indeed, a basic work of this kind is needed for more than one of the dioceses in this country.

Among miscellaneous observations that may be mentioned, one is struck by the relatively large number of clergy bearing such unmistakably Scottish names as Ross, Sinclaire, Henderson, Campbell, Crawford, Frazer, Morris, Neill, Black, Andrews, and Lyon. Is there some particular explanation of this other than the hard and turbulent times in Scotland?

If the astounding figure of £117 has been correctly reported on page 152 as the cost of a surplice during the period from 1759 to 1761, and if the price current in the lifetime of George Ross some years earlier even approximated this figure, one can well understand the distress of that reverend Scot in finding that someone had stolen his surplice " gotten after much financial difficulty." Incidentally, an allowance of £10 for a pulpit cloth and surplice is reported on page 151 as having been made in the early part of the century. There is much in Dr. Rightmyer's book that is of interest to the Marylander.

THOMAS DEC. RUTH.

Delaware's Forgotten River: The Story of the Christina. By C. A. WESLAGER. Wilmington: Hambleton Company, Inc., 1949. xiv, 226 pp. $3.50.

Most Marylanders, on the rare occasions when they have need to use the name of the little river in Delaware about which Mr. Weslager writes, call it Christiana, pronounced " Christy-anna." But the author points out in the first chapter of his interesting book that the river's correct name is Christina, pronounced " Christeena," and he cites an enactment of the Delaware Legislature in 1937 to show that the name was legally changed to Christina.

To write a book of more than 250 pages, complete with source references and an index, about a river as small and as obscure as the Christina, is something of a literary tour de force, but Mr. Weslager accomplishes the job in fine style. The Christina, for those unfamiliar with it, is the watercourse on which Wilmington is located and which with its tributaries drains most of the northern segment of Delaware contained in the arc drawn from New Castle as a center. Incidentally, anyone who thinks

Wilmington is on the Delaware river had best consult his maps; actually, the Christina provides Wilmington with its waterfront.

Mr. Weslager cheerfully admits that no events of cosmic importance ever occurred along the Christina, and he even points out that one of the Christina's tributary streams, the Brandywine, is much more widely known because of the battle fought on its banks and because its waters turned the wheels of the first duPont powder factory. Then, turning from the Brandywine to the Christina, Mr. Weslager follows the river from its mouth to its various sources, telling of its history from Indian times up to now and emphasizing the villages on or near its banks and the men and women who lived therein. Marylanders will be especially interested in the accounts of the New Castle and Frenchtown Railroad, the Delaware and Chesapeake Canal, the Mason and Dixon Line and George Talbot, the eccentric cousin of Lord Baltimore.

JAMES C. MULLIKIN.

When Lafayette Came to America: An Account from the Dubois Martin Papers in the Maryland Historical Society. Edited by GILBERT CHINARD. Publication Number Three of the American Friends of Lafayette. Easton, Pa.: 1948. 44 pp.

It is always a pleasure to see some of the manuscripts of the Maryland Historical Society appear in print. It is even more satisfactory when the manuscripts are edited by such a distinguished historian as Dr. Chinard. Although the essential facts of this material have been treated by Louis Gottschalk in *Lafayette Comes to America* (Chicago, 1935), these papers are now made available for the first time. Dubois Martin was the man who purchased the ship which brought Lafayette to America in 1777. The theme of the papers is Dubois Martin's efforts to draw attention to the circumstances under which Lafayette came to America the first time and to secure, if possible, some financial return in his declining years. Reading this brief narrative recalls the Santo Domingan insurrection of 1793, the subsequent migration of many of the French to Baltimore, and Lafayette's second visit to America. Also of interest is Dubois Martin's efforts to make a living from the cigar manufacturing industry.

FRANK F. WHITE, JR.

The Unhurried Years (Memories of The Old Natchez Region). By PIERCE BUTLER. Louisiana University Press, 1948. 198 pp. $3.00.

The title of the work is indicative of a subject-matter relating, it may be said, "to days gone by." The focal point is "Laurel Hill," the plantation in Mississippi which came into being when Richard Ellis and his family moved west from Virginia in the 1760's and secured a grant of

land from the Spanish Government. "Laurel Hill," almost a unit in itself socially and economically, ultimately came into the possession of the author's family. *The Unhurried Years*, after proper reference to the successive owners of "Laurel Hill" and the *mores* of the passing years, is essentially a reminiscent account by the author of a span of years sacred in his memory,—years of a life lived simply and sympathetically.

Of especial interest are the references to the close liason between "Laurel Hill" and the City of New Orleans, at that time not only the market for the plantation's cotton, but also the home of many relatives and friends, the names of a number of whom will probably be familiar to readers having associations in the South. But even more engrossing are the glimpses which the reader is given into the *modus vivendi* of the times. A vista of a purposeful, realistic and sincere course of life, rugged and free from artificiality and false values, spreads before the reader. He wonders whether his life might not have been more complete and richer had he been born three score or more years sooner and had the chance to live on a Southern plantation.

EDWARD D. MARTIN.

Maryland and Pennsylvania Historical Sketches. By FREEMAN ANKRUM. West Newton, Pennsylvania: The Times-Sun, for the author, 1947. Introductions by U. S. Senator Edward Martin of Pennsylvania and Theodore R. McKeldin, former mayor of Baltimore. 282 pp. $3.00.

To submit this work to professional criticism is to perform a disservice to its author. Mr. Ankrum is not a professional historian and, by inference, considers himself fortunate. "Tiresome detail" has no fascination for him; neither has documentation. He is convinced that "history really tends to repeat itself" (p. ix) and notes that "about the only original thing in history may be the style in which it is written." (p. viii.) It is not surprising, therefore, to find his *Sketches* a series of reminiscences, legends, and anecdotes, connected by a sort of personalized travelogue. Materials used in many of the more "historical" chapters are derived from secondary sources, notably the writings of J. Thomas Scharf. (Chapters 16, 17, 26, 27 and 33 are so derived, to name a few.) Unfortunately, aside from a bibliographical reference to "Scharf's History of Western Maryland" neither Scharf's book nor Scharf's sources are cited in footnotes in spite of obvious indebtedness.

JOHN R. LAMBERT, JR.

Carnegie Institute of Technology.

Calvert and Hillyer, 1897-1947. By ARCHIBALD HART. Baltimore: The Calvert School, 1947. 210 pp. $3.00.

This volume recounts the story of the birth of an idea and its flowering into the present institution of world-wide reputation. The initiative of a

group of Baltimore parents who in 1896 visualized a new type of school, namely a kindergarten, was responsible for the beginning of Calvert School. With the arrival of Virgil M. Hillyer, not yet 24 years of age, in 1899, the tiny school began its real career. Thanks to the vision, personality and drive of Mr. Hillyer, the school soon earned an enviable reputation and, with the beginning of the home instruction department in 1905, entered a new field. This department was soon filling an important role for families in many parts of the world where schools were not available. Today it is educating 2,000 children a year, while the Day School has gone on increasing in prestige and enrolment. The author has given full weight to the talents of the late Mr. Hillyer, first head master, and has included thumbnail sketches of his successors, Mr. Donnell W. Goodrich, and Mr. Edward W. Brown.

J. W. F.

OTHER RECENT BOOKS RECEIVED

The Rural Press and the New South. By THOMAS D. CLARK. Baton Rouge, Louisiana: Louisiana State University Press, 1948. [xi,] 11 pp. $2.00.

Side Wheel Steamers of the Chesapeake Bay, 1880-1947. Compiled by JOHN A. HAIN. Glen Burnie, Md.: Glendale Press, 1947. [46 pp.].

Presence of A Lady: Mount Vernon 1861-1868. By DOROTHY TROTH MUIR. Washington, D. C.: Mount Vernon Publishing Company, 1946. 90 pp. $2.50.

L. O. D.—Yes. An Odyssey of the Army's 18th General Hospital. By R. CARMICHAEL TILGHMAN, M. D. (Reprinted from *The Johns Hopkins Alumni Magazine*, Vol. XXXVI, Nos. 1, 2, & 3, Nov. 1947, Jan., 1948 and Mar., 1948.) 39 pp.

NOTES AND QUERIES

Baltimore Book Trade, 1800-1830—Mr. Rollo G. Silver, Peabody Institute Library, has undertaken preparation of a study of the Baltimore book trade between 1800 and 1830. He will be very grateful for any information relating to this field, especially biographical data about the printers, publishers, and booksellers, as well as information concerning personnel of firms, changes in partnership, records, etc. Mr. Silver's address is care the Peabody Library, Baltimore 2, Maryland.

Latrobe's Plans for an Ohio Residence—The Ohio State Archaeological and Historical Society has undertaken the restoration of the home of Thomas Worthington, one of Ohio's first United States Senators and sixth governor of Ohio. His home, *Adena*, was built in Chillicothe, Ohio, in 1806. Evidence exists that Benjamin Henry Latrobe drew plans for this house in 1805 but these plans have not yet been located. Any information about Worthington plans, or unidentified drawings of this period by Latrobe would be very much appreciated by the Historical Society so that if possible a definite attribution can be made. Information concerning manuscript material of this branch of the Worthington family would also be of much value to this restoration project.

Janet Hamilton,
215 E. North Broadway, Columbus 2, O.

Howard Daniels, Architect or Landscape Gardener—Will anyone having information concerning Howard Daniels, who lived in Baltimore in 1864, please communicate with Mrs. H. D. McKenna, Vassar College, Poughkeepsie, N. Y.? Information about Daniels is needed in connection with a master's thesis on the architectural history of Vassar College. Mrs. McKenna is also seeking similar information about John Wilkinson, also of Baltimore, who was consulted about the heating plant at Vassar College.

The Lecture System—I am writing a book to be entitled *The American Lyceum: Town Meeting of the Mind.* It is a study of the cultural, historical, and literary aspects of the lecture system in our country from 1830 to 1860. I would be indebted to any of your readers who would let me know if a lyceum existed in their locality before 1860 and, perhaps, where I might write to secure records of the lyceum if it did exist.

Carl Bode,
Professor of English,
University of Maryland, College Park, Md.

Corrections—Reference was made in the article on the Dorsey family of Calvert County (*Maryland Historical Magazine*, March, 1948, p. 78), to the late Judge Walter Dawkins. His middle name was erroneously given as Parran. His full name was Walter *Ireland* Dawkins. The *Magazine* regrets the error.

Another slip occurred in the article on Hampton which appeared in the Magazine for June, 1948. On p. 97, footnote 7 stated that certain Roland Park property remained in the hands of Fenwicks until the second half of the last century. The reference should have been to the *Fendall* rather than the Fenwick family.

Griffin—Information is requested regarding the ancestry of Henry Clay Griffin of Baltimore, born there 1834; d. May 21, 1906. At that time he resided at 710 N. Arlington Ave. He was teller of 3rd National Bank for 40 years; member of the militia; senior warden of the Grand Lodge of Masons. He married 1857 Sarah Virginia Daw. A daughter Augusta died 1913 at Baltimore.

R. G. Smith,
2904 13th St. South, Arlington, Va.

Mudd Family—Thomas Mudd, born 1647, came to Maryland about 1680, probably from the British Isles but the exact place from which he emigrated is unknown. He brought eight others with him, John Hilton, James Smith, John Story, Richard Stiffe, George Springer, Mary Aldren, Mary Gayler and Anthony Valvar. Can anyone who has been interested in any of these persons advise from where any of them emigrated and throw light on the place of birth and identity of Thomas Mudd?

Richard D. Mudd, M. D.
1001 Hoyt Street, Saginaw, Mich.

Jenkins—I desire the names of parents of Philip Jenkins, born Charles Co., Md.; married Elizabeth Hungerford at Puccawaxon Parish, Charles Co., June 8, 1779. He later moved to Virginia and died in Bedford Co., Tenn. His son, Philip Harrison, born Pittsylvania Co., Va., Jan 2, 1800, died in Panola Co., Miss., June 27, 1878. His wife was Sarah B(arton) Parham, of Tennessee.

Mrs. Louise M. Heaton,
P. O. Box 86, Clarksdale, Miss.

CONTRIBUTORS

Dr. AMMON, Librarian of the Maryland Historical Society, has been appointed Associate Editor of the Magazine. ☆ An instructor in history at the Case Institute of Technology, Cleveland, Ohio, Mr. ZORNOW is a candidate for the Ph. D. degree at Western Reserve University. ☆ Mrs. BEVAN is a student of architectural and social history of Maryland and has contributed to the Magazine in the past. ☆ Miss HOLLAND, a graduate of the National Park Seminary, Washington, D. C., is a member of the Society's staff. ☆ Mr. ROSS is curator of Mediaeval and Subsequent Decoration Arts, Walters Art Gallery; his collaborator, Miss RUTLEDGE, is a member of the staff of the Peabody Institute.

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Calendar of the General Otho Holland Williams Papers in the Maryland Historical Society. 1940. *454 pages, mimeographed, paper covers*.. 2.75

Chronicles of Mistress Margaret Brent, by Mary E. W. Ramey. 1915. *12 pages, illustrated, paper covers*..... 1.00

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACTS OF CONGRESS AUGUST 24, 1912, AND MARCH 3, 1933,

Of Maryland Historical Magazine, published quarterly at Baltimore 1, Maryland, for October, 1948.

State of Maryland, City of Baltimore, ss.

Before me, a Notary Public, in and for the State and county aforesaid, personally appeared James W. Foster, who, having been duly sworn according to law, deposes and says that he is the Editor of the Maryland Historical Magazine, and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management (and if a daily paper, the circulation), etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, as amended by the Act of March 3, 1933, embodied in section 537, Postal Laws and Regulations, printed on the reverse of this form, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business managers are:

Publisher, Maryland Historical Society, 201 W. Monument St., Baltimore 1, Md. Editor, James W. Foster, same. Managing Editor, same. Business Manager, same.

2. That the owner is: (If owned by a corporation, its name and address must be stated and also immediately thereunder the names and addresses of stockholders owning or holding one per cent or more of total amount of stock. If not owned by a corporation, the names and addresses of the individual owners must be given. If owned by a firm, company, or other unincorporated concern, its name and address, as well as those of each individual member, must be given.)

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JAMES W. FOSTER,
Editor.

Sworn to and subscribed before me this 1st day of October, 1948.

SYLVAN HURWITZ,
Notary Public.

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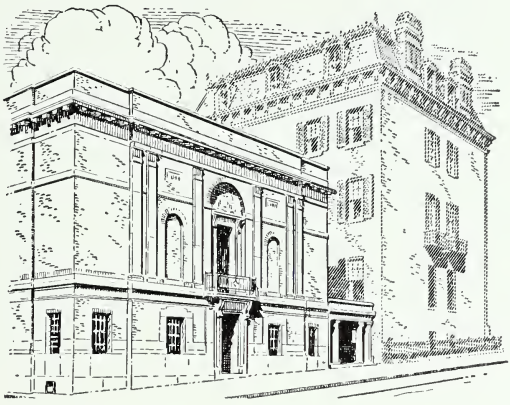

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Baltimore from Federal Hill, Showing Signal Flags of the Marine Observatory.
From Poppleton's Map, 1822.

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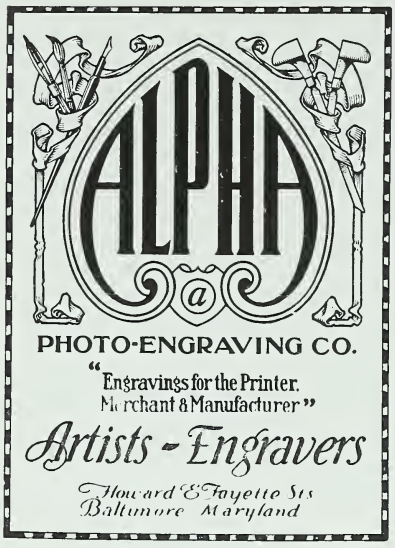

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Annual Subscription to the Magazine $4.00. Each issue $1.00. The Magazine assumes no responsibility for statements or opinions expressed in its pages.

James W. Foster, Editor
Harry Ammon, Associate Editor

The Magazine is entered as second class matter, at the post office at Baltimore, Maryland, under Act of August 24, 1912.

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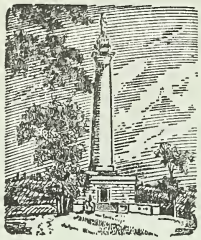

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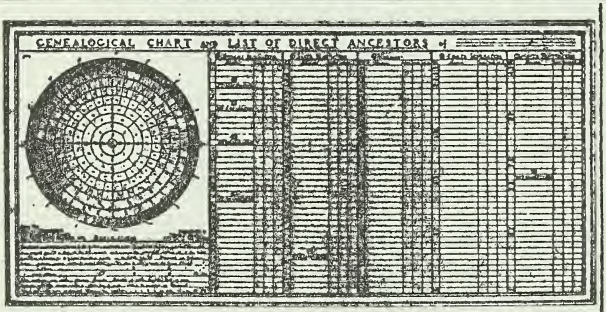

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MARYLAND HISTORICAL MAGAZINE

A Quarterly

Volume XLIV JUNE, 1949 Number 2

THE FOUNDING OF ST. JOHN'S COLLEGE 1784-1789

By Tench Francis Tilghman

ON WEDNESDAY, November 11, 1789, there assembled in the Stadt House in Annapolis a procession of some distinction. It contained the members of the General Assembly, the Chancellor, the Judges of the General Court, the gentlemen of the bar, and the worshipful corporation of the city. Followed by a "numerous and respectable concours of people," the procession marched through North St. to where, on Stephen Bordley's four acres of land, the building known for forty-five years as Bladen's Folly was at last to be put to some use, even if one for which it had not been intended. Dr. William Smith preached "an elegant sermon," the Rev. Ralph Higginbotham delivered an oration on the advantages of a classical education, and St. John's College had officially begun its academic career.

This piece of news, at least locally important, was not pub-

lished in the *Maryland Gazette* until December 3. But the delay of three weeks did not mean that Annapolis and the state were indifferent to the new college. The newspaper was a small weekly, appearing every Thursday, and most of its space was devoted to the usual advertisements for runaway slaves, horses and houses for sale, and various other public notices. In addition, the news columns were at that particular time filled with reports of what the editors, with considerable understatement, called "the recent commotion in France." Both events and news moved very slowly in eighteenth-century Maryland. And the event that had called together the numerous and respectable concourse of Annapolitans had been the result of no less than five years of effort on the part of those Marylanders who were trying to found on the Western Shore a college that would be the counterpart of Washington College in Chestertown, which had been established in 1782, and thus build a state university.

The first faint stirrings of what was eventually to be St. John's can be discerned as far back as 1732. During the meeting of that year's Assembly some enthusiast for education introduced into the Upper House a "Proposal for Founding a College at Annapolis," [1] and this paper contains, in very complete outline, a plan for a small college with a faculty of perhaps half-a-dozen men. We do not know who was the author of this proposal. But nothing was done about it, and the idea dropped out of sight for over twenty years. In May, 1754, it was revived by no less a personage than Governor Horatio Sharpe. When the Assembly had convened, he presented the usual governor's address before a joint meeting of the two houses, and ended with this statement:

> Shall I also take the Liberty of intimating what considerable Benefit must acrue to the Inhabitants, and what Honour must redound to yourselves, from the Foundation of a more perfect and more public Seminary of Learning in this Province; a Scheme This, long since put in Execution among our Neighbours, to whom our Youth are still obliged, much to the Disadvantage and Discredit of this Province, to recur for a liberal Education: Of such an Establishment your Descendants and late Posterity will reap the Advantage, and remember the present Age with Gratitude. From my Knowledge of what vast Pleasure and Satisfaction his Lordship receives, from being able to contribute to and promote, the Reputation,

[1] Bernard C. Steiner, *History of Education in Maryland* (Washington, 1894), p. 26.

Honour, and Prosperity of his Province, I will presume to encourage you to expect something more than his bare Approbation of such a Proposal.[2]

The suggestion of so powerful a man as Governor Sharpe got almost immediate results, and a committee began to work on the plan. Later in the month, after making elaborate calculations of possible revenue, they reached this conclusion:

And although the yearly Amount aforesaid may not be certain, yet it is conceivable that one Year with another, it will be sufficient to defray the annual Expence of a College. . . . And your Committee apprehend that the School-House, belonging to King William School, on the Stadt-House Hill, in the City of Annapolis, may be converted to some Public Use.[3]

In spite, however, of this optimistic view that the necessary money could be raised by certain taxes, the proposal was again sidetracked and postponed for several more years. It appeared again in 1761. On April 24 of that year the Lower House of the Assembly appointed a committee headed by Edward Tilghman to consider and report " what funds may be necessary to be raised for Erecting and Establishing a College within the Province." On May 5 the committee reported that, in their opinion, the house in Annapolis intended as the Governor's dwelling would be suitable for such a purpose if it could be finished. Their estimate of the funds needed was: for completing the main house, £2,000; for furnishing it, £216; for a stable, £100; and for a garden and yard, £100. This money, they maintained, could be raised by selling the county free schools, which they considered to be accomplishing very little; and for current expenses they advocated a tax on ordinary licenses, wheel carriages, negroes, Irish papist servants, and bachelors.[4] The bill was brought to a vote and defeated, largely through the influence of the Eastern Shore delegates.[5] And so the idea languished for another twenty years, although the bill of 1761 established a pattern that was to be followed later.

The story of St. John's really begins in 1784. The founding of colleges was in the air of post-Revolutionary America. Prior to 1776 there had been but nine colleges in all the colonies; but four more were established during the Revolution, and fourteen during the years immediately following.[6]

[2] *Archives of Maryland*, L, 472-3.
[3] *Ibid.*, L, 492.
[4] *Ibid.*, LVI, lxvi, 488-90.
[5] *Ibid.*, LVI, 492-93.
[6] Richard G. Boone, *Education in the United States* (New York, 1890), p. 75.

The General Assembly met in November of 1784, and there was introduced into the Senate a bill (No. 37) with the following title: "An act for founding a college on the Western Shore of this State and constituting the same, together with Washington College on the Eastern Shore, into one university by the name of the University of Maryland." By January 4, 1785, the bill had reached its second reading and was passed and sent to the House, which concurred. The bill became law at the end of the session and was printed in full in the laws of Maryland for that year.[7]

The law establishing St. John's College is an extremely interesting document, obviously drawn up with care by someone who had some very complete ideas on state education. The main purpose was to create a state university; and the division of it into two colleges, one at Chestertown and one at Annapolis, which seems so clumsy today, was the natural result of Maryland's peculiar geographical configuration. With the state split into two parts by the Chesapeake Bay and with the difficult communications of those days, a university divided in this fashion was the sensible solution. Thomas Jefferson could found his university at a spot near the center of Virginia, but Maryland really has no center. Further, the tradition of a state composed of two separate and equal parts, the Western and the Eastern Shores, was, even in 1785, an old one in Maryland. The political life of the state had been built around this idea for generations, and in the late eighteenth century the populations of the two shores were probably about the same in number. For the further organization of the proposed university, the act provided that, for the time being, the Governor of the state should be Chancellor, and that the convocation of the university should take place alternately at the commencement exercises of its two colleges. It was to be under the control of a board composed of at least seven members of the visitors and governors of St. John's and seven from Washington, with the addition of two faculty members from each college. The purpose of this board was to secure "uniformity of manners and literature" on both sides of the Bay and to confer "the higher degrees and honors of the university." This act of 1784, then, provided a quite complete blueprint for a state university for Maryland, and it is one of the great misfortunes of the educa-

[7] *Maryland Senate Journal, 1784-1785* [Annapolis, 1785], *passim.*

tional history of the state that so little came of it. Had the intention of the legislators been carried out, Maryland might have had, at a very early date, a well-established state university.[8]

The laws for the regulation of St. John's College proper were set forth in great detail. The college was to be "founded and maintained forever upon a most liberal plan." There was to be no religious or civil test for the students; the college was even forbidden, in good eighteenth-century fashion, to urge "their attendance upon any particular religious worship or service." But a curious contradiction appeared in regard to the civil test, for the governors of the college and the professors were required to take the oath of fidelity and support to the state.

In the minds of the framers of this law there seem to have lingered traces of the European tradition of a college community as a thing apart with special rules and privileges of its own. For the statute provided that all principals, vice-principals, professors, students, and scholars of St. John's "shall be exempt from all rates and taxes on their salaries and from all military duties except in the case of an actual invasion of the state and when general military law is declared." This, to a certain degree, made the members of the college a privileged group, whose status as scholars was recognized by the state as being different from that of other citizens. It is sufficiently curious that an institution whose members were expressly exempt from military service except in dire emergencies should later have been for so many years a military school.

The law granted to the new college the right to confer academic degrees, but left the requirements for such degrees to be determined by the officials of the college. The sole stipulation was that degrees could be awarded only to those students who had been publicly examined one month before commencement.

The affairs of the college were to be administered by a board of visitors and governors, in number not more than twenty-four nor less than thirteen, at least seven of whom must live within sixteen miles of Annapolis, seventeen of the whole number on the Western Shore, and all within Maryland. These regulations, it might be noted, are still binding upon the college, although in

[8] The text of this law will be found in *Laws of Maryland Made and Passed at a Session of Assembly Begun . . . [Nov. 1, 1784]* (Annapolis [1785], Chap. XXXVII.

later years they were not always observed. The board was to be self-perpetuating. The method of selecting its first members was an odd one: any group of citizens who subscribed a thousand pounds to the college endowment had the right to nominate one member of the board. The same device had been used in the organization of Washington College, except that the tariff had been lower: five hundred pounds had been thought sufficient in that case. This scheme may have been planned as a shrewd piece of salesmanship to appeal to the vanity of possible patrons—it is hard to say. It is also difficult to understand why a board member should be worth twice as much in Annapolis as in Chestertown. But at all events the plan was made a part of the foundation of the financial structure of the college; and the Assembly appointed, as canvassers for subscriptions, the following: the Rev. John Carroll, the Rev. William Smith, the Rev. Patrick Allison, Richard Sprigg, John Steret, and George Digges. Of this group—all men of prominence—Carroll had probably the most distinguished career. He had been educated at St. Omer and Liège and had lived in England in the household of Lord Arundel. In 1786 he was created Vicar-General of the Roman Catholic Church in the United States, and in 1790 he was consecrated Bishop of the See of Baltimore, the only Roman Catholic bishop in this country.[9]

Although Carroll was the most famous of this group, Dr. William Smith, who was to preach the "elegant sermon" at the opening exercises of St. John's, was certainly the most colorful. At this time he was the head of Washington College, but he had previously been Provost of the University of Pennsylvania, a position he was to hold again in later years. The friend of Franklin, the man who did most to raise the Academy and Charitable School of Philadelphia to college rank, and an eminent Anglican divine, Smith, on the one hand prepared for the University of Pennsylvania a curriculum that has been called "one of the most comprehensive schemes of education in America up to that time," while on the other, he was described by his contemporaries as "infamous for religious hypocrisy," an "habitual drunkard," and a man who "swore extravagantly" when angered.[10] He had edited a newspaper, written a book on education, and been in jail. But in addi-

[9] *Dictionary of American Biography*, III, 526.
[10] *Dictionary of American Biography*, XVII, 353 ff., quoting Ezra Stiles and Benjamin Rush.

tion to his other peculiar talents, he was, in modern terms, a promoter of remarkable ability. He had collected funds for the University of Pennsylvania, even going to England with James Jay who was on the same errand for King's College, now Columbia University. He had also solicited contributions for Washington College, and it is a tribute to his persuasiveness that for this cause he had garnered the sum of £10,000. So, in spite of his many unenviable qualities, he was a man well experienced in the task faced by this committee. Of the other members, Richard Sprigg was of "Strawberry Hill," just outside Annapolis and George Digges of "Warburton" in Prince George's. The Rev. Patrick Allison was a Presbyterian clergyman from Baltimore, and John Steret, also a Baltimorean, was a member of the Assembly. It might be noted that the appointment of three clergymen of three different denominations seems an early attempt to emphasize the non-sectarian character of the new college.

But the Assembly did not depend entirely upon the possible generosity of friends of education to get St. John's started: in addition to what might be raised through private subscription, the charter made a grant of £1,750 per annum which was specified to be perpetual. Following the general pattern of the bill of 1761, this sum was to be collected from the fees for marriage licenses, the fees for ordinaries or taverns, and the fines for certain minor crimes and misdemeanors. Upon this curious *mélange* of private generosity and public crime, romance and alcoholic consumption, St. John's financial structure was based. The great disadvantage of this method was that it made the new college a kind of hybrid, half-private, half-public. In the long run it might have been far better for the college had it been entirely the one or the other so that either the public or the state would, from the beginning, have felt complete responsibility for its welfare.

But to show that the sum granted by the Assembly was not so meagre as it seems in the light of modern college endowments, it might be noted that William and Mary, considered the richest institution in America at that time, had an annual income of only £4,000;[11] and King's College, a generation earlier in 1754, had been started on an appropriation of but £500 a year to be raised from the excise.[12] And this grant was to run for only seven years

[11] Boone, *op. cit.*, p. 36.
[12] J. N. van Amringe, *History of Columbia University* (New York, 1904), p. 33.

from that date—any further money had to come from lotteries and subscriptions. So St. John's had a quite adequate income for that period, and the somewhat bizarre method of raising it was only in line with the usual method of college financing. In addition, the Assembly gave to the college, should it locate in Annapolis, the four acres of ground which Stephen Bordley had conveyed to Governor Bladen in 1744, where stood the walls of the projected but unfinished Governor's palace. On the whole, then, the Assembly had done well by St. John's: the college had an assured income of what, for those days, was no small amount, and a group of distinguished men (one of whom might almost be called a professional fund-raiser) from different parts of the state was in charge of the campaign to raise additional funds. The omens were favorable.

That the committee lost no time in getting to work is shown by one of the subscription papers, for the city of Annapolis, which has survived and is in the possession of the college library. It is dated November 16, 1784. Thus the canvassers were making their rounds before the bill establishing St. John's had even passed the Senate. The paper provides that subscriptions were to be paid in three installments, due on June 1 of 1785, 1786, and 1787. The largest individual contribution came from Charles Carroll of Carrollton, then considered the richest man in America, who gave £200. Contributions of £100 each came from Governor William Paca, Richard Sprigg, George Plater, Thomas Stone, George Digges, and Daniel of St. Thomas Jenifer. With the addition of various smaller subscriptions, this one paper for the city of Annapolis alone carried pledges for something like £1,500. Again, for purposes of comparison, in 1767-8 the newly-founded Brown University collected only $4,500, to which $2,500 was added during the following two years.[13] A number of these original subscription papers have survived, and the minute book of the first Board of Visitors and Governors contains certified copies of all the lists.[14] These lists are divided into "classes"—that is to say, into groups of subscribers of whom each group or "class" had contributed one thousand pounds and hence was entitled to norminate one member of the Board. From the origi-

[13] Edwin Grant Dexter, *History of Education in the United States* (New York, 1906), p. 261.

[14] These subscription papers are in library of St. John's College.

nal papers and from some of the copied lists it would seem that the first intention had been to make the classes geographically representative of the Western Shore counties, the Eastern Shore, of course, having been pre-empted by Washington College. There are eleven such classes, each running to a little over a thousand pounds, so that—on paper—the new college had an endowment of between eleven and twelve thousand pounds. It is unfortunately necessary to emphasize the phrase "on paper," as the melancholy sequel will show.

The affairs of St. John's moved forward steadily, if slowly, so that by 1786 enough money had been pledged to create a Board according to the peculiar rules laid down for its organization. On February 28 of that year in the Senate Room of the State House appeared the following gentlemen duly elected Visitors and Governors of St. John's College in the State of Maryland, *viz.*, Thomas John Clagget, D. D., William West, D. D., Nicholas Carroll, John H. Stone, William Beans, Richard Ridgely, Thomas Stone, and Samuel Chase.[15] There were also present the agents, as the canvassers for funds were called (minus the Rev. Patrick Allison, who seems to have disappeared from the picture at this time), to attest the election of the new college officials. Before Alexander Contee Hanson, one of the Judges of the General Court, they "subscribed a declaration of their belief in the Christian religion," and took "the two oaths of fidelity required by the Constitution." This formula, repeated time after time whenever a new Board member was elected, is a flat contradiction of the law founding the college, for that, as has been shown, demanded only that the member take the oath of fidelity and support to the state. Still, when it is remembered that, in St. John's brief history of less than two years, no fewer than five clergymen had been involved in its affairs, it is not surprising that some such addition had been made to the original plan. The Board then adjourned to the following day, on which it added to its numbers John Thomas, somewhat bleakly described in the minutes as "one

[15] Minutes of the Board of Visitors and Governors, Feb. 28-March 2, 1786. Hereafter abbreviated to MBVG. The Minute Books covering the years 1786 to 1843 and 1878 to the present have been preserved and are in the possession of St. John's College. The first of these books (1786-1826) has been the chief source of this article. Also preserved at the college is the matriculation book, 1789-1855. The originals of letters quoted in this article are in the college library.

of the people called Quakers," and elected William West as its president.

Two important pieces of business awaited the Board's attention. The first of these had to do with King William's School, designated since the patriotic days of the Revolution as the Annapolis School, that mysterious institution about which much has been written and very little actually known.[16] According to the *Maryland Gazette*, the Trustees, Governors, Visitors, and Rector of King William's School met on February 22, 1785, and appointed a committee of five to meet with representatives of St. John's to discuss the transfer of the funds and property of the school to the new college. Unfortunately, the paper does not say whose idea this was, nor are the names of the members of the committee given. But work was apparently being done in the Assembly, because the bill permitting the consolidation of the funds of the old school with those of the new college was passed on March 2, 1786; that it is say, it was being put through just as the St. John's Board was holding its first meeting and tackling the problem. The delay of a year between the conception and execution of this scheme is probably explained by the fact that before March of 1786 there had been no St. John's Board for the King William's representatives to deal with.

The school made a really handsome offer to the college. It had in cash about £1,200, and it wanted to contribute £2,000 so as to get two Board members of its choice. But, so its communication said, the people of Annapolis wanted the school to continue until the college opened; so could the school keep its Latin master and some of its money and pay its £2,000 in installments? Further, when one of its Board members died, could the school nominate his successor from among the people of Annapolis? Towards most of these suggestions (especially the £2,000) the St. John's Board showed a sweet reasonableness. But towards the last it was very stern. For King William's School to be allowed to select its board members' successors from among the people of Annapolis would not be " within the true principles of equality," St. John's replied. King William's, not to be outdone in a love for equality, hastily agreed, and, its other conditions being accepted, sent as its nominess for the Board Alexander Contee Hanson and Thomas

[16] This second name is the one almost always employed in the Board Minutes.

Jennings. These two men, bringing the number up to eleven, completed the original Board of St. John's College and were the last to be nominated by subscribers, as subsequent elections show.

The other business before the meeting was the choice of a location for the college. Upper Marlborough got two votes and Annapolis nine. Annapolis was obviously the heavy favorite because of the four acres of land and the Governor's Palace which the Assembly had granted if Annapolis were selected. So the choice was a foregone conclusion.

For the first two days of their initial meeting the Board had convened in the Senate Chamber; but, perhaps finding that apartment somewhat austere and even chilly, they moved, on the last day, to Mr. Mann's house, a celebrated tavern on what was then Church, now Main Street.[17] In this more congenial atmosphere the remaining business was accomplished. Ephraim Ramsay was made secretary to the Board and Benjamin Harwood treasurer. Mr. Harwood's salary was rather vaguely fixed at ½ per cent. on all money received by him and 1 per cent. on all money paid out. Then a sub-committee was appointed to inspect the newly-acquired land and building; and finally there was an interesting resolution to pay Mr. Andrew Ellicot " who had attended at Annapolis to inspect some mathematical instruments intended for the use of the college." These mathematical instruments, whatever they may have been, were the first purely educational equipment owned by St. John's.

The proceedings of this first meeting of the Board bring up the whole question of the connection between King William's School and St. John's College, a connection about which many misleading statements have been made. Some, for example, have written as if the Assembly turned over to the college the funds, property, books, teachers, and students of the school, which implies that the Assembly created St. John's College out of King William's School.[18] This does not seem to have been the case. From the facts presented in the preceding pages it is clear that the college was founded with no thought of consolidation with the school in

[17] Walter B. Norris, Annapolis, *Its Colonial and Naval Story* (New York, 1925), p. 320.

[18] See, for instance, Hurlbert Footner, *Maryland Main and the Eastern Shore* (New York, 1942), p. 268, which is typical of the way in which this story is told in popular histories of Annapolis.

the minds of the legislators, and that it was only while the college charter was being put through the Assembly that the idea of merging the two institutions came into somebody's head. It is clear also that the initiative came from the school, not from the college. Unfortunately, so little is really known about King William's School that we cannot follow the sequence of events in any detail. Probably someone on the school board felt that it was unnecessary to have both in one small town, and that the college would offer better educational facilities. Not even the names of the Governors of the school are known with any certainty; it is likely that Hanson and Jennings were among them, since the school nominated these two men to the college Board. Further, as far as the school funds were concerned, it is clear that the school subscribed them to the college endowment just as any group of individuals might have done, and received the same privileges in return. The only difference was that the school, being in a sense a state institution, had to have the Assembly's permission before it could make its subscription. This was the only place in which the Assembly entered the picture. And finally, what evidence there is about the school indicates that it was entirely a preparatory institution and could not have been converted into St. John's College without losing all of its former character. It is true, however, that a number of books did pass, in some way or another, from the possession of the school into that of the college, and are still in the college library. And it is also true that Ralph Higginbotham, who will be introduced later, had been a master in the school; but he was appointed to the St. John's faculty in exactly the same fashion as were the other instructors and not as the result of a special connection between the two institutions.

The Board of Visitors and Governors met twice more during this year, both times in Mr. Mann's tavern.[19] The problem now confronting them was the building the Assembly had bestowed. Since the word " building " always appeared in the singular, it is evident that the four acres contained Bladen's Folly and nothing else. It is generally stated that only the four walls had been completed by that ambitious Governor, which is probably true.[20]

[19] MBVG, May 9-10 and July 5-6, 1786.

[20] Bladen wrote to Lord Baltimore on Nov. 15, 1744: " I have finished the brick work of a very good house upon your Land for yr. Governr. which I shall send

Although the building is fairly large, it must have seemed rather cramped if it were to be made to contain classrooms and accommodations for both teachers and students as well as whatever offices might have been needed. So the Board determined to add wings to the building, and spent much time trying to decide whether the north or south wing should be added first. As it turned out, neither was ever erected. After advertising for bids, the Board entrusted the work to Joseph Clarke—who had been the architect for the new State House begun in 1772—and he prepared plans for the additions.[21] And plans they remained. In August of 1789, three years later, the Board wrote to Mr. Clarke the following plaintive letter:

Sir

Being informed by our Committee for superintending the Building of St. John's College of their application to you for the Designs & Drawings Articles & Materials in your Possession and Care belonging to the College and of your Declining to answer their Letters relative thereto it is our request that you would deliver up to the Committee without further delay the Articles & Materials Designs & Drawings belonging to the College.

N. Brice Clerk

To this appeal no answer was ever received—at least there is no record of one—and so the plan for enlarging the present McDowell Hall came to nothing. From an esthetic standpoint this failure is to be regretted; had the building been changed into the typical eighteenth-century central-block-with-wings form, it would have made an impressive nucleus for the campus.

After the meeting of July 5-6, 1786, a three-year curtain of silence descends upon the Board of Vistors and Governors of St. John's College. From the condition of the minute book it is obvious that no records have been lost, nor is it likely that they

your Lordship a Draught of by the Baltimore." *Calvert Papers, Fund Publication No. 34* (Maryland Historical Society), p. 122. If the Assembly of 1761 thought £2,000 necessary to complete the building, Bladen could not have done more than erect the walls. There is further confirmation of this in the reminiscences of Mrs. Rebecca Key, who knew the building before the college acquired it. She wrote that a Dr. Duff had been brought from Scotland to construct it and that "under his direction the walls of the present main building were erected, joists laid, and scaffolding prepared for roofing it in." Mrs. Rebecca Key, "A Notice of Some of the First Buildings with Notes of Some of the Early Residents, 1754-1840." *Maryland Historical Magazine*, XIV (1919), 258 ff.

[21] MBVG, Feb. 28-March 2, 1786. Horatio Clark, one of the earliest students in the college, is described in the matriculation book as son of Joseph Clark, architect, Annapolis—doubtless the same.

were kept in a different volume. The answer seems clear: the Board simply did not meet. Nor is there any insoluble mystery about this lapse: finanical troubles, the eternal spectre haunting the campus of St. John's, began to appear as early as this. The *Gazette* contains a notice, signed by Carroll and Hanson, that the subscribers were not paying their pledges as they had contracted to do.[22] It will be remembered that, according to the terms of the subscription papers, the last installment should have been paid on June 1, 1787. The notice goes on to say that, because of this lack of ready money, building operations at the college had been suspended, and ends with an appeal to the delinquent subscribers to catch up promptly with their payments. So the conduct of Mr. Clarke becomes quite understandable: he doubtless saw small chance of ever being paid for the work he had undertaken to do and so he very wisely did nothing. The slowness in collecting the pledged funds also accounts for the lapse of the Board; with little or no money in hand there was not much they could accomplish, and the out-of-town members spared themselves a trip to Annapolis. When they did finally reconvene, on May 12, 1789, one of their first acts was to employ one Archibald Golder as a collector working on a percentage basis to stir up the consciences of the tardy subscribers. If we can judge by the number of bills submitted to the college by the sheriffs of the various counties, Mr. Golder hauled the backsliders into court by the dozen. A document of the period shows him at work:

Dr. Mr. William Young
To the Visitors & Governors of St. John's College
To Amt. of his subscription to sd College £10.00

I hereby certify that it appears by the original subscription paper No. 17. that William Young of Baltimore County subscribed the sum of ten pounds current money, to St. John's College, and that I have not received any part thereof.

B. Harwood Treasr.
of St. John's College

Maryland to wit—May 16th 1791

Then came before me the subscriber one of the Judges of the General Court of the State aforesaid Archibald Golder late Collector of St. John's College subscriptions, and made oath on the holy Evangels of almighty God, that he hath not received any part or parcel of the above subscription.

Sworn before—
J. To[wnle]y Chase

[22] *Maryland Gazette*, February 19, 1789.

So it was a slow job, for even the enterprising Mr. Golder. Many people had blithely signed up when the original papers had been passed around and then, regretting their rash generosity, tried to wriggle out on one pretext or another. Thus we have a letter from Mr. Thomas Cradock, writing three years after the college had opened. His letter expressed considerable annoyance over misrepresentation practised by the soliciters of funds:

1 Sept. 92

Sir—

I received yours and would wish you to lodge the subscription papers in the hands of Mr. Johnson or any other person whether it is so put down or not I can't tell, but I subscribed so much on condition the college was in Balt County & that I think at 3 different annual payments there was deception made use of and the subscription was not as fairly obtained as it ought to have been; that was my reason for writing to you to lodge the subscription paper that I might see it.

With respect to Jho. Cradock & Col. Watkins they deny ever seeing the subscription paper at all—and a gentleman now acknowledges that he put down their names at haphazrd to make up a particular sum to have the college in Balt County.

Yr. obt. Servt.
Thos. Cradock

To Mr. Marbury
Annapolis

Affairs, however, did move forward under Mr. Golder's proddings, and the Board stayed in session three days. Of the original members, one—Thomas Stone—had died in 1787, and it was necessary to replace him. As a matter of fact, the Board had really been acting illegally all the while, since the charter required its number to be at least thirteen. So the first job was to rectify this, and the following were elected: James Brice, John Allen Thomas, Gustavus Brown, the Rev. Edward Gannt, Clement Hill, Richard Sprigg, Charles Carroll of Carrollton, Jeremiah Townley Chase, Charles Wallace, and John Carroll. These gentlemen were all elected by the existing Board; the day of nominations by subscribers was over.

The condition of Bladen's Folly and how little had been done to it is made clear by the Board's action in ordering two rooms in the building to be prepared for opening a grammar school and a mathematical school. Evidently not even the rooms in the building were fit for use at this time. Next, two masters had to be

secured to preside over the two rooms when prepared, and at this meeting and at the next (August 11) the position of Head of the Mathematical School was offered to John McDowell, A. M., and that of Head of the Grammar School to the Rev. Ralph Higginbotham, their salaries each to be £300 per annum. A glance at these two men who presided over the early intellectual life of the college might be not without interest.

Of the two, John McDowell was the more important, since modern historians have thought him worthy of a place in the *Dictionary of American Biography*.[23] He was a native of Franklin County, Penn., where he was born in 1751. He had been educated at the College of Philadelphia, as it was then called, holding a tutorship even before his graduation in 1771. He was English orator on the commencement programme. He taught there until 1782, at which time he moved to Cambridge, Md., where he studied law and did some more teaching until he was appointed head of the Mathematical School at St. John's. A college broadside published just after his appointment described him as a " gentlemen of uncommon learning, long experience in teaching, amiable manners, and distinguished moral character." According to the terms of his rather vague contract, he was to teach not only mathematics but " such other branches of literature " as the Board might think proper. How St. John's ever heard of him must remain a mystery, but his Pennsylvania background suggests the influence of Dr. Smith. Later he was made the first Principal of the college and remained there until 1805.

The Rev. Ralph Higginbotham is a much more shadowy figure, and the facts of his life are hard to get at. His first appearance in Annapolis is in an advertisement in the *Gazette* for August 26, 1784. This notice, which is dated August 17, begins with the announcement that the Rev. Ralph Higginbotham, late of Waterford, Ireland, " being appointed by the visitors master of King Williams School in the city of Annapolis, begs leave to inform the inhabitants of the city and its vicinity, that on Monday the 13th day of September next, he will open school for the education of young gentlemen in the Greek and Latin languages, preparatory to their entering college." He then continues, with becoming humility, to speak of his excellent qualities as a teacher, and

[23] XII, 31-32.

ends with the statement that his terms would be one guinea per quarter. In the winter of 1785 he was elected Rector of St. Anne's Church on which occasion he produced his credentials, stating that he had been ordained at Waterford in 1774.[24] He remained Rector until 1804. Of his personal characteristics we have little knowledge, except from the pen of the Rev. Ethan Allen who, though writing a number of years later seems to have had access to much information about the early rectors of St. Anne's—most of whom, by the way, he regarded with a very jaundiced eye and remarkably little Christian charity.[25] Allen wrote with frosty disapproval that Higginbotham was a man of "irregular habits," from which his reputation as a clergyman suffered, and that he paid too much attention to the college and not enough to the church. It must be admitted that Higginbotham was perhaps unwise in attempting two full-time jobs at once.

But in spite of his irregular habits, over which time has spread a kindly oblivion, Higginbotham is an important figure in St. John's history. First, he represents the earliest link between St. John's and St. Anne's Church, a bond which has lasted down to the present day. And in the second place, he is the actual physical connection between the college and King William's School. The often-repeated statement that the scholars of the school all came to the college is impossible of proof; we have all the names of the first students, but there is no way of knowing where they had been before entering St. John's. The records of the school have been so completely destroyed that almost nothing is known about it.[26] But the Rev. Higginbotham had actually taught there, though it is necessary to repeat that his election to the college faculty was not the result of his having been master of the school. A position at the college was open, he applied for it, and got it. He was not turned over to the college by the school.

At this same meeting of the Board, at which the two masters were selected, it was further decided that the tuition fee at the new college should be five pounds a year. The sum seems grotesquely small even for this period, but St. John's was—or thought

[24] St. Anne's Parish Vestry Records.

[25] Rev. Ethan Allen, *Historical Notes of St. Anne's Parish* (Baltimore, 1857). Pp. 93 ff.

[26] Mrs. Key wrote: "The Free School stood on the south side of the State House, a plain building containing school rooms and a habitation for the teachers and his family. . . . It supported two masters who had been sent from England and at the Revolution returned to their native country." Mrs. Rebecca Key, *loc. cit.*, pp. 258 ff.

it was—an endowed institution and an important part of the state's educational machinery. It did not have to make money.

All of these proceedings were communicated to the press, and the citizens of Annapolis evidently began to count on the opening of the college, for several issues of the *Gazette*, beginning with that of Sept. 24, 1789, carry the advertisements of those who wanted to rent rooms to students. Anne Tootell, Susanna Brewer, Vachel Stevens, B. Maybury, and Mary Reynolds all publicly expressed their desire to furnish the prospective students with board, lodging, and washing for thirty pounds a year. Some of them unquestionably came to regret their venture into the student-rooming-house business, for within a year it was found necessary to have a master visit each house every evening to restrain the young gentlemen dwelling therein.

The last Board meeting of this preliminary period took place on November 10 to plan for the opening exercises on the following day. The ubiquitous Dr. William Smith [27] was named President of the College *pro tempore*, and the order of the next day's procession was arranged. It was substantially as the *Gazette* account, quoted at the beginning of this article, described it—with one important difference. The *Gazette* did not mention the students of the Grammar School, who were assigned by the Board to a place in the procession. But the newspaper writer can easily be forgiven for overlooking these students: there were but sixteen of them.[28] They must have been completely lost in the crowd of dignitaries of both church and state, as the procession swept solemnly from the Stadt House to the College. But at least a modest glory was theirs on that November day: they had the distinction of being St. John's first students.

[27] The article in the *Dictionary of American Biography*, XII, 31-32, already quoted, states that Smith had resumed his duties as Provost of the University of Pennsylvania in the preceding July. He must also have maintained his connection with Chestertown, for he brought to St. John's, on this occasion, Washington College's list of delegates to the Convocation of the University of Maryland, whenever that might take place, and his name was on the list. Thus, he had three college connections at the same time.

[28] Piety demands that their names be preserved. They were:

Thomas Higginbotham	Richard Cooke
John Beven	Richard Harwood
William Long	Thomas Wally
James John Jennings	Henry Brice
Francis [Scott] Key	Daniel Jennings
John Shaw	William Brewer
Horatio Clark	George Clark
William Cooke	James West

SOME NEW LIGHT ON THE EARLY YEARS OF THE BALTIMORE PLANTATION

By L. Leon Bernard

Historians of Maryland have long lamented the mists which shroud the first few years of Cecil Lord Baltimore's first settlement on the banks of the St. Mary's River. Beginning with January, 1638, the proceedings of the Colonial Assembly provide a solid basis for the history of the Plantation, but prior to that date the sources are extremely meager. Outside of half a dozen or so brief accounts of the founding in 1634 (most of which borrow one from the other or cover pretty much the same ground) and a few scattered letters and other miscellany, there has been nothing else available to the historian.[1]

The material for this article has been drawn from a source whose existence is well-known to all historians but which has remained virtually untouched because of the enormous difficulties confronting anyone seeking to exploit it for historical purposes. We refer to the records of chancery proceedings in the Public Record Office in London: bills, answers, depositions, and other proceedings in chancery suits, amounting to several thousand voluminous and unwieldly bundles for the Stuart period alone. No one has ever more than scratched the surface of these archives. There are various calendars and indices for some of these records, but for the most part any historian in search of suits involving early Maryland history, or any phase of colonial history, would be compelled to resort to the highly laborious method of untying bundles and turning over pages one by one until his eye struck upon some familiar name.[2] Charles M. Andrews, in preparing his

[1] For a list of these accounts, see C. M. Andrews, *The Colonial Period of American History* (New Haven, 1936), II, 288.

[2] M. S. Giuseppi, *A Guide to the Manuscripts preserved in the Public Record Office* (London, 1923), I, 51-52.

Guide, disposed of chancery in one curt paragraph, stating that "until these parchments and papers have been officially listed it will be impossible for anyone to gain an adequate idea of their contents." [3]

Much as he would like to, the author can take no credit for heroic labor performed in the Public Record Office. The chancery suit which forms the basis for this article came to his attention through the very unheroic process of having it placed before him, in photostatic form, at the start of a seminar in Elizabethan and early Stuart paleography.[4] It had been chosen more or less at random as presenting a fair sample of the paleography of the period, as well as an example of the type of material relating to American colonial history which is available in great quantity in chancery proceedings.

The case is that of Edward Robinson v. Cecil Lord Baltimore.[5] The documents available to us are, first, nine interrogatories administered to two witnesses produced on behalf of the plaintiff, and, secondly, the depositions of those two witnesses, by name, Jerome Hawley and William Peaseley. The suit was initiated in chancery in the summer of 1637.

The litigation arose out of some sums of money adventured by the plaintiff in the Maryland Plantation. In August, 1633, Baltimore received an unspecified sum of money from Robinson, presumably to pay for the passage of indentured servants from England to Maryland. The plaintiff alleged that Baltimore accepted his money although he had no intention of sending men for the plaintiff into Maryland.[6]

On another occasion, in August of 1634, Robinson paid over to William Peaseley, the elected Treasurer of the Adventurers in Maryland, the sum of 20 pounds to be "putt into the stock for trade with the natives in Maryland." [7] Robinson was apparently dissatisfied with the distribution of the proceeds of the stock;

[3] C. M. Andrews, *Guide to the Materials for American History, to 1783, in the Public Record Office of Great Britain* (Washington, 1912), I, 12.

[4] The seminar was given at the University of North Carolina in the winter quarter of 1948-49 by Dr. Charles Sisson of the University of London, who more than any one living man has mastered the intricacies of chancery archives and who, though not a historian himself, has long been urging a systematic study of chancery records by the historians.

[5] Robinson v. Lord Baltymore, PRO, C24/621/79.

[6] Interrogatories 3 and 5. (Hereinafter abbreviated as Inter.)

[7] Inter. 4.

there is no direct statement to this effect but the detailed questioning put to the witnesses concerning their knowledge of the distribution of the stock indicates that Robinson thought he had not received his just due.[8]

Another rather significant allegation was that Baltimore had " dressed up " the list of adventurers in the Plantation with names of men who had never actually invested in the undertaking, in order " the better to drawe on others." [9]

The real interest of the case, however, does not rest so much on the suit itself as on the historical side-lights which can be gleaned from the testimony of the witnesses, Hawley and Peaseley.[10] Both men are well-known figures in the early history of the Plantation, especially the former. Jerome Hawley was one of the seventeen " gentlemen of very good fashion," who, along with some 300 laboring men, disembarked from the *Ark* and the *Dove* in March of 1634.[11] With Thomas Cornwallis, he served as Commissioner during the early years, aiding Leonard Calvert in the government of the Plantation, while Lord Baltimore remained in England to guard against the constant efforts of William Claiborne and certain other Virginia gentlemen to undermine the new enterprise at Court.

Peaseley never voyaged to the New World. He remained with his brother-in-law, Lord Baltimore, in England, acting as Treasurer of the Plantation. But he, like Hawley, was obviously in a position to give credible testimony on matters concerning the Maryland Plantation.

Turning to this testimony, we might first mention some new facts revealed regarding the economic life of the Plantation during the first year, particularly on the trade with the Indians. Jerome Hawley in his testimony declares that there were " eleven adventurers in the plantation in Marye Land at the first beginning," who put in a total of about thirty shares.[12] He gives their names and we can easily identify them as members of the first expedition;

[8] Inter. 8.
[9] Inter 2.
[10] It is quite possible, though, that if certain documents referred to in Interrogatories 5 and 7 were available, along with the testimony of other witnesses, the issues of the suit would emerge with greater clarity and the case itself would then hold greater interest from an historical point of view.
[11] Lord Baltimore's letter to Strafford, Jan. 10, 1634, cited in M. P. Andrews, *Tercentenary History of Maryland* (Chicago-Baltimore, 1925), p. 47.
[12] Deposition of Hawley, 2.

the only adventurer named by Hawley who did not emigrate in the winter of 1633-1634 is Lord Baltimore himself, who, we are told, held about half of the thirty shares.[13] The value of these shares is not given but from other sources we learn that they were probably worth 15 pounds apiece.[14]

In accepting this list of eleven adventurers given by Hawley we run headlong into an apparent conflict with another list of the original adventurers, namely, the well-known one given on the last page of *A Relation of Maryland*, published anonymously in London in 1635. This latter list is entitled, " The names of the Gentleman Adventures that are gone in person to this Plantation," and includes all the names mentioned by Hawley (with the exception of Lord Baltimore himself) plus seven others.[15]

Two conclusions are possible: either Hawley's memory failed him, or else Hawley and the author of the book in question were using the term " adventurers " in different ways. The first alternative is unlikely, considering that Hawley must have known all the adventurers concerned as well as he did the members of his own family and that he had left Maryland only two years prior to the time of his testimony.

The second explanation is far more reasonable. When Hawley refers to the " Adventurers," he has in mind those members of the original expedition who had risked their money in a commercial adventure (i. e., trade with the natives), while the author of the *Relation* simply was listing the names of the gentlemen who had set forth on a hazardous enterprise. Hawley uses the phrase " adventurers *in* the plantation," while the *Relation* reads " adventurers *to* the plantation." [16] Thus, it becomes possible to identify those of the original 17 gentlemen adventurers who had seen fit to join Baltimore in his speculative venture, as distin-

[13] ". . . the nowe defendt and his brother Leonard Calvert Esqr himselfe this dept Captaine Cornwallis Mr. Edward Winter Mr. Ffredericke Winter Mr. Richard Jarrett Mr. John Saunders Mr. Wiseman Mr. Greene and one Mr. Ffearefaxe." (Deposition of Hawley, 2). Hawley's testimony further reveals that some of Lord Baltimores shares belonged in reality to anonymous adventurers (Inter. 8), clearly substantiating the belief that many adventurers in the Plantation did not deem it prudent to divulge their names: the enterprise was too closely associated with Catholicism.

[14] Letters from Leonard Calvert to Sir Richard Lechford, dated May 30, 1634, *The Calvert Papers No. 3* (Fund Publications, No. 35, Maryland Historical Society, 1899), p. 22.

[15] *A Relation of Maryland*, edited by F. L. Hawks (N. Y., 1865), p. 65.

[16] Italics are mine.

guished from their more conservative companions who contented themselves solely with settlement in the new colony.

The testimony of Hawley and Peaseley enables us to reconstruct in some detail the outcome of the first year's speculation in trade with the natives. We learn that there were two separate " stockes " in the first year's (1634) adventure: a first stock and a second stock.[17] The first stock consisted of the goods brought over in the original expedition by the eleven adventurers referred to above.[18] We are told that Baltimore held about half of the 30 shares in this first stock, and that Hawley himself held three shares, but how the remaining shares were distributed was not known to the deponent.[19]

Soon after arriving in the New World, and despite the obstructive tactics of William Claiborne, the settlers began trading with the Indians. In exchange for the goods brought over from England, the adventurers received beaver skins and corn, all of which were pooled together and alloted to the shareholders at the rate of 28 pounds of beaver skins (worth 10 shillings a pound) and an unspecified amount of corn for each share held.[20] Unfortunately, the fur season was just about over when they arrived on the scene, and as a consequence of their late arrival they lost some 3000 skins to the Virginians.[21] Hawley complains that the total received by him did not amount to the value of his three shares, so that he " did loose and not get anything by this said adventure in the first yeares stock." [22]

From Peaseley's testimony, we learn that in addition to the foregoing, there was a second stock raised in the year 1634.[23] In this instance, the value of each share is clearly stated as being 20 pounds, but the total number of shares is not given.[24] The

[17] Deposition of W. Peaseley, 4.

[18] Deposition of J. Hawley, 2.

[19] It has been asserted by one investigator that Hawley " took an eighth interest in Calverts Maryland project." H. T. Cory, " Some Unpublished Hawley-Halley Data," *Maryland Historical Magazine*, XXXIV (1939), 175. The names of a few other adventurers can be found in Leonard Calvert's letter to Lechford, *Calvert Papers No. 3*, 22-24.

[20] Deposition of J. Hawley, 8.

[21] Letter of Leonard Calvert to Lechford, *Calvert Papers No. 3*, 22.

[22] Deposition of J. Hawley, 8.

[23] Deposition of W. Peaseley, 4.

[24] Leonard Calvert, in his letter to Lechford, *Calvert Papers No. 3*, writes that the " summe we haue all thought fit to adventure is thirtie pounds p̄ share . . . we finde by experience, that the quantity of trucke we brought ouer last is nothinge, in respect of what is here to be vented.'

names of only two of the share-holders are mentioned: Peaseley, who invested five shares, and Robinson, the plaintiff, one. Peaseley acted as Treasurer for the Adventurers and it is in this capacity that he called at Robinson's home in August, 1634 and collected the sum of 20 pounds for one share in the second stock.

The money thus received by Peaseley in the summer of 1634 was employed in the purchase of various commodities which were then entrusted to the care of an agent, Captain Humber. The latter sailed for Maryland with these goods about Michaelmas, 1634 and arrived in Maryland at the beginning of December.[25] Neither of the two witnesses, however, deposes anything concerning the final division of the proceeds of the second stock.

In connection with the administrative history of the early years an interesting fact is brought to light. Hawley, in his testimony, makes the statement that the division of the proceeds of the first year's stock was made " by order of the Governour and Councell there resident." [26] It has been generally thought that the Council, as such, did not exist prior to Lord Baltimore's order of government of April, 1637 and the arrival of the first Secretary, John Lewger, in Maryland seven months later pursuant to that order of government.[27] The supposition has been that only with the arrival of Lewger did Commissioners Hawley and Cornwallis become " Councillors." [28]

Several other minor points of historical interest emerge from the depositions: for example, the date of birth of Jerome Hawley, which in standard secondary works is either omitted or given many years earlier than the actual date (1590) revealed in Hawley's deposition; the years of Hawley's sojourn in London; and, finally, the number of " servants " brought over by the two Calverts in the first year, which we learn to have been no less than forty.[29]

Lastly, but of considerable importance, is the revelation of the identities of the authors of the small book referred to above,

[25] Deposition of W. Peaseley, 1; Deposition of J. Hawley, 1.
[26] Deposition of J. Hawley, 8.
[27] *Archives of Maryland*, III, 49-55.
[28] See, for example, *Papers Relating to the Early History of Maryland*, Fund Publication No. 9, Maryland Historical Society, p. 218, and M. P. Andrews, *op. cit.*, p. 98.
[29] E. D. Neill in his *Founders of Maryland* (Albany, 1876), p. 84 asserts that Hawley arrived in London in June, 1635. Powell, *op. cit.*, says this is not possible. But the evidence presented by Hawley himself supports Neill's assertion.

A Relation of Maryland. This work, published anonymously in London in 1635, has long been recognized as an essential source for the early history of Maryland. Oldmixon lifted many passages bodily out of the *Relation*,[30] without, of course, citing his source, and from his time down to the present it has continued to be used extensively, though more honestly, by colonial historians.

The *Relation* of 1635 is certainly the liveliest and most interesting of the several accounts which have come down to us concerning the early years of the Plantation. It is simply a prospectus, and a first-rate one at that. In addition to relating briefly the story of the first settlement at St. Mary's, describing the progress made ("without boasting it may be said, that this colony hath arrived to more in sixe moneths, then Virginia did in as many yeeres"[31]) and allaying the fears of possible investors as the bloodthirstiness of the natives, the *Relation* sets forth the "conditions propounded by the Lord Baltemore, to such as shall goe, or adventure into Maryland."[32] For example, any Englishman who cared to assume the burden of equipping five able-bodied men with "all things necessary for a Plantation" and transporting them into the colony would receive in return a manor of 1000 acres to be held in perpetuity. A detailed list of everything necessary for settlement in the new plantation, down to "inkle for garters," is set forth for the benefit of prospective adventurers, along with the profits that might be derived from the labor of each servant transported to Maryland.

The authorship of the *Relation* of 1635 has until now remained a mystery. Some authorities have regarded the work as merely a revised and enlarged edition of the *Relation* of 1634; others have pointed to Cecil Lord Baltimore as its probable author.[33] The *Relation* of 1635 is, however, not just a revised edition of the earlier work. It is true that the first chapter does borrow to some extent from the *Relation* of 1634, but most of the opening chapter consists of new material, and the remainder of the book contains nothing which could be traced back to any known earlier work.

[30] John Oldmixon, *The British Empire in America* (London, 1741), pp. 324 *et seq.*

[31] *Relation*, p. 16.

[32] *Ibid.*, p. 46.

[33] B. C. Steiner, *Beginnings of Maryland, 1631-1639, in Johns Hopkins University Studies in Historical and Political Science*, XXI, p. 41; C. M. Andrews, *The Colonial Period of American History*, II, 288 n.

It is Peaseley's testimony that finally clears up the question of the origin of the *Relation* of 1635. Asked whether to his knowledge a certain printed book showed to him in court had been "written or caused to be written by the said defendant," Peaseley answered that "it is true that the printed booke . . . Intituled . . . A Relation of Marie Land and dated September 6 Anno Dom 1635 . . . was written and conceived or composed by Mr. Jerome Haulie and Mr. John Lugar two of the adventurers to the said plantacon." [84]

There can be no reasonable doubt of Peaseley's statement. As Treasurer of Lord Baltimore's enterprise, and the Proprietor's brother-in-law, he was certainly in a position to know who were the authors of a book designed to serve as a prospectus for the colony. Nor could a more logical pair be chosen to write the *Relation*: Hawley, the commissioner of the Plantation recently returned from Maryland, and John Lewger, the intimate friend of Lord Baltimore, soon destined to become the Plantation's first Secretary.

[84] Deposition of William Peaseley, 6.

THE OBSERVATORY ON FEDERAL HILL

By M. V. Brewington

Within a few years after the War for Independence had been won Baltimore showed herself in the reports of the Secretary of the Treasury to be not only the first port of the Chesapeake but also one of the first five in the United States. Her vessels were to be found in the Ganges and the Orinoco, in the Thames and the Congo, while in the Patapsco Judge Thomas Jones at North Point counted in the year 1795 some 6085 vessels entering the port.[1] This was in spite of a harbor definitely not one of the best five on the Atlantic seaboard: Baltimore attained her position and maintained it primarily because her merchants, her whole maritime community, displayed unceasing energy and resourcefulness in making the most of what nature had given.

One of the first man-made improvements was a means whereby the merchants could be informed when one of their vessels was approaching her homeport. In the words of an early commentator, information of the near approach of a vessel might ". . . afford the merchant an opportunity of saving [an insurance] premium and the underwriters . . . the gratification of beholding a flag on which they had largely insured." [2] Well before the vessel dropped anchor customs officials could get their red tape ironed out and quarantine doctors could ready their pills and bleeding cups. Wives and sweethearts could prepare for the sailor's return. In fact, everyone directly or indirectly dependent on water-borne commerce was vitally interested in knowing of the pending arrival of a vessel in port. The passing of years has changed to a large degree the comparative importance of the news, but even so, can we not all recall that the approach of a tanker ladened with fuel oil was a front page story in many a city during the shortage plagued winter of 1946?

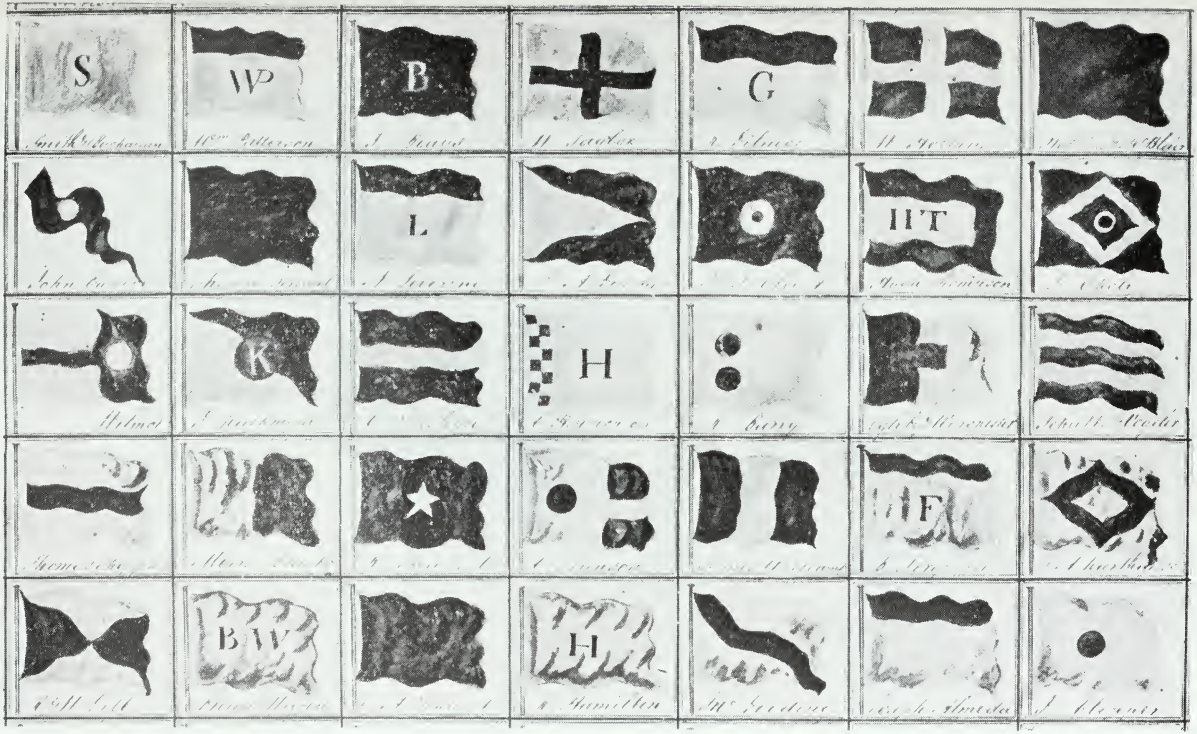
[1] Manuscript Diary of Thomas Jones, Maryland Historical Society.
[2] *New Baltimore Directory and Annual Register, 1800-1801,* p. 18.

So, when in 1797 Captain David Porter, senior, announced that he was about to do something to bring Baltimore quicker news of her homecoming shipping, his efforts at the outset received such hearty support and soon were found to have such an important part in the functioning of the port, that the result of his endeavors lasted for more than a full century.

David Porter, senior, has been forgotten by Baltimore but in his time he was one of the best known men in the city's maritime circle. He was born in Massachusetts in 1754, the son of Alexander Porter, a Boston merchant and shipmaster. He served in privateers during the Revolution and after being captured by the British and taken into Halifax made one of the most daring escapes recorded during the war. He had also been one of John Barry's midshipmen on the Continental frigate *Raleigh*. When Alexander Hamilton organized the Revenue Cutter Service in 1791, Porter was given command of the U. S. R. C. *Active*, and stationed in Chesapeake Bay.[3] His command was not an easy one. The colonial tradition of avoiding, if not evading, the king's customs was still strong in the minds of merchants and seamen alike, and there were plenty who were willing to risk jail if they could get a cargo past a not too watchful cutter. Added to that, the French Navy and the British Navy both had strong squadrons around the mouth of the Bay with guns double shotted, tompions out and matches lighted, just waiting for the other to start something, violation of territorial waters be hanged because the Americans had but small means to defend their dominion. The Revenue Cutter Service was new and none too well organized, but Captain Porter acquitted himself well, and although one or two overt acts were committed, somehow he maintained reasonably good order afloat. About 1796 he "swallowed the anchor," bought a home on Montgomery Street, Federal Hill, and at once became active in the affairs of the port. In company with several other seafaring men he was one of the organizers of the Charitable Marine Society.[4] One of his sons, David, junior, entered the United States Navy as a midshipman on the Baltimore-built U. S. S. *Constellation*. During the War of 1812 he distinguished himself as a commodore of the Pacific raiding squadron and later was one of

[3] *Niles' Weekly Register*, VII (1814-15), Suppl., p. 8; biographical data in Navy Department.

[4] Thomas W. Griffith, *Annals of Baltimore* (Baltimore, 1833), p. 155.



House flags of merchant shipowners used as signals at the Baltimore Observatory. Section of watercolor chart, dated 1817. Collection of Maryland Historical Society.

Home of Captain David Porter, Senior, on Federal Hill, showing signal tower. Watercolor in the John S. Barnes Collection, Courtesy the New-York Historical Society. The troops drilling in the foreground probably were Duryea's New York Zouaves who were stationed at Federal Hill in 1861. The buildings in center were razed in 1861 or 1862.

the commanders on the Potomac after the burning of Washington. David, senior, in 1807 was appointed sailing master, U. S. N., serving under his son who was then in command of the New Orleans Station. It was the son's duty on June 25, 1808, to write the Secretary of the Navy, " I have the honor to inform you that Mr David Porter Sailing Master departed this life on the 22d inst." [5]

What induced the senior Porter to establish the Marine Observatory has not been recorded. Certainly his life afloat had shown him the undeniable usefulness of such an institution but the reason may have been only the boredom of life ashore forcing him to seek some touch with the sea. Whatever it was, on March 10, 1797, he advertised in the *Federal Gazette*:

Proposal

For the erection of a Flag-Staff on the highest ground on Federal Hill.

DAVID PORTER

Proposes to build a Look-out House, and raise a Flag-Staff on Federal Hill, that early information may be obtained of ships and vessels coming up the bay. . . . .

He further proposed to equip the station with ". . . a good telescope and perspective glasses. . . ." (what the distinction may have been is not known) and to have ". . . suitable signal flags prepared." [6]

In return for his own and his station's services he sought three hundred subscribers at $2.50 annually, half to be paid in advance to finance the construction of the Look-out House. Each subscriber who was a vessel owner would have his " private signal " (a banner of distinctive design and coloring selected by a vessel owner to serve as his mark when worn at the masthead of his vessels, just as a rancher " brands " his cattle, or a manufacturer of corn flakes " trade marks " his product). This was to be flown on the flag-staff when one of his vessels came in sight; he would receive a printed copy of all the signals of the port; he would have free access to the Observatory, as the Look-out House soon came to be called, and preferential use of the telescope and glasses.

[5] June 25, 1808, Letters of Officers, Ships of War, Navy Department Records, National Archives.

[6] Issues for March 10, 11, 16, 1797.

Those not subscribers must pay twenty five cents each time they sought admittance.[7]

The subscriptions evidently came in quickly for on April 7 Captain Porter informed the public that the flag-staff had been erected; that the Observatory would be completed "with all expedition"; and that ". . . as good a Telescope as can be procured in London. . . ." was expected. At the same time merchants with vessels then at sea equipped with private signals were invited to inform Captain Porter of the designs so that he might properly and promptly report when their signals were sighted.[8] However, so few merchants evidently were using *private* signals that *general* signals were fixed for use until better arrangements could be made. These were: when a ship (the word is given its specific meaning: a three-masted, square-rigged vessel) was sighted an American ensign would be hoisted on the flag-staff; a brig brought forth a "pendant" (a long narrow triangle); a topsail schooner, a burgee (a shorter wider triangle, swallow-tailed); and a sloop, a flag (a square or rectangle). If two ships appeared, the ensign was hoisted over the pendant; two brigs were indicated by the pendant over a red flag; and if several sail were in sight, the ensign was flown over the red flag.[9]

With a taste of what the observatory could do the maritime community seemingly was clamoring for the full meal since on April 29 Captain Porter was forced to advertise that "the Observatory cannot be got in rediness so soon as the first day of May; but it will be announced when complete, by the signal of Three guns."[10] Although the event was not reported by the newspapers, the three guns must have boomed forth on May 8 or 9 because Captain Porter then advertised that the signals were ready for delivery on the 9th and that ". . . Care shall be taken to make the Observatory answer the purpose for which it was intended." He went on to say, "Time will shew the utility of the work and I flatter myself merchants and others who feel themselves interested in this intelligent undertaking, will endeavor to encourage the

[7] *Ibid.*
[8] *Ibid.*, April 7, 19, 22, 1797.
[9] *Ibid.*; J. Thomas Scharf, *History of Baltimore City and County* (Philadelphia, 1881), p. 292.
[10] *Maryland Journal and Baltimore Daily Advertiser*, April 29, May 9, 1797.

same." With that the subscription price went up to three dollars a year.[11]

Two days later the general signals first flown on the flag-staff were discontinued and the new private signals were inaugurated. No copies of these signals are known to exist in the " card " form which Captain Porter gave to each subscriber. They would be of more than passing interest because many of the private signal flags like coats of arms were handed down from father to son or from one business firm to its successor. Some are worn today on yachts whose owners' ancestors had hoisted them on packets and clippers a century ago.[12]

The earliest of the signal lists is that with which " Captain Porter has, for the information of the public, politely favoured the publishers of the *New Baltimore Directory & Annual Register.*" It gives fifty-six private signals and the ensigns of the city-states of Bremen and Hamburg, both of which were greatly interested in the Baltimore trade. Among those listed were such firms as John M'Kim and Son, " Green Flag with a white ball and white fly "; William Patterson, " Red above, white below, the letters WP black, in the white "; Paul Bentalou, " Blue and white, checker'd." [13]

The method of using the signals was, as Captain Porter wrote, ". . . on a scale easy to be understood." When sighted through the telescope by the watcher in the Observatory, the signal flown at the masthead of the approaching vessel was hoisted on the flag-staff which could be easily seen from every part of the harbor and business district, thereby informing the vessel's owner whose signal was flying that one of his craft was in sight. When a second vessel came in sight, a small cannon evidently was fired to draw the attention of the Port to the change or addition to the flag hoist. Inward bound foreign vessels were indicated by hoisting their respective ensigns. There seem also to have been some scheme whereby through the use of large canvas or basketwork balls hoisted on the staff, other information, perhaps the exact location of the vessel coming up the river: " Abreast the White Rocks,"

[11] *Ibid.*, May 8, 9, 1797; *Federal Gazette*, May 8, 15, 1797.

[12] Compare charts of private signals with signals depicted in the year books of various East Coast yacht clubs.

[13] *New Baltimore Directory and Annual Register 1800-1801*, pp. 18-19.

or " Off the Bodkin " could be conveyed, but knowledge of this scheme apparently has been lost.

The Observatory, as Captain Porter had advertised, stood on Federal Hill and in the eyes of all Baltimoreans and all those who entered by water it soon became the most prominent landmark in the town. It was depicted on almost every view and mentioned in every guidebook up to the beginning of the twentieth century. The hill itself, ". . . a beautiful and commanding eminence, on the South side of the Bason " rose about seventy-five feet above the water.[14] On its crest was a two-story frame house, evidently the residence of Captain Porter, and the Look-out House itself. The latter was a square pyramid thirty feet high with a projecting balcony some ten or twelve feet below the apex. The portion of the structure above the balcony, the watcher's room, had a window in each side giving an unobstructed view of the whole land and waterscape down the river. A flag-staff topped the roof, and other flag staves from an original one to an eventual four were erected in the door yard. The yard itself was enclosed by a high board fence.[15]

Even though the Observatory was fully functioning in May, the real opening came on July 4, 1797. Not since the celebration of the adoption of the Constitution of the United States had Federal Hill seen such a fête. Captain Porter's program was announced through the newspapers.

OBSERVATORY

The Citizens are respectfully informed that the Observatory will be illuminated This Evening. The fire works of various forms will be exhibited but no squibs [fire crackers]—a proper place is prepared for this exhibition.

Baron Trenck will be in transparent paintings, drawn with his chains and irons in full proportions, by an able artist, with a motto suitable to the Occasion. The morning of this memorable day will be ushered in with the discharge of the Observatory Artillery. At 10 in the evening the citizens who may please to honor the Observatory with their company, shall have a Federal Salute and a rocket for each gun. The Fire works will be as follows; wheels horizontally and otherwise, a discharge of one of Bounapartes conquering Pistols—this—[*sic*] scene will be opened by the drawing of a cork of a bottle of Porter which will turn into a volcano.

[14] *Ibid.*

[15] *Early Home of Commodore David Porter, U. S. Navy, Federal Hill, Baltimore,* water-color in J. S. Barnes Collection, New York Historical Society.

Camp of Duryea's Zouaves, of New York, on Federal Hill. Lithograph made by E. Sachse & Co. shortly after occupation by General B. F. Butler on May 13, 1861. The artist seems to have neglected to show the flagstaffs, although the tower is clearly shown.

Fort Federal Hill, 1862. Lithograph by E. Sachse & Co., showing the barracks and fortifications built by Union forces. Four signal flagstaffs can be seen to the right of the tower.

A Collation and the best of Liquors will be provided; the proprietor of the Observatory earnestly solicits the patronage of the citizens, every exertion shall be to please, active waiters are engaged and necessary steps taken to prevent imposition. Should the weather prove foul, the above Exhibition will be the next fair night.[16]

By 1800 it was reported ". . . the Observatory proves . . . of the greatest utility," and there was no question of the success of Captain Porter's undertaking. Just why and when he left the Observatory is not known, perhaps the smell of powder floating up the Bay from the guns of H. M. S. *Leopard* when she inexcusably attacked the U. S. S. *Chesapeake* brought to the old privateersman a look into the future and he wanted to be on hand for the first chance at the Red Ensign. But if so, his own part of the vision was not fulfilled; he met Yellow Jack instead. As relics of Captain Porter's time at the Observatory there have been preserved two charts of the private signals of the merchants. These are water colors dating *ca.* 1802 and 1806. The first includes fifty flags, the ensigns of Bremen and Hamburg, and an ominous but doubtless often flown pennant which denoted "Vessel aground";[17] the second chart gave with its ninety-two private signals, the fateful "Vessel aground" pennant and the American ensign testimony of the growth in the number of Baltimore's sea-traders during the era of neutral trading just before Jefferson's Embargo.[18] Together with the 1802 forerunner the charts also show a significant change in the traders themselves. In addition to the "old" Baltimore firm names, those of French, German and Irish merchants appear in such proportions that even with no other evidence one would know they had become a very important factor in the city's foreign trade.

Who Captain Porter's immediate successor may have been I have not been able to discover; he probably had little to do because the Long Embargo was just about to become effective. But neither is there any record of the part played by the Observatory during the British invasion of Maryland. That must have been an active

[16] Baltimore *Telegraph and Daily Advertiser*, July 4, 1797. Baron Trenck was a celebrated Prussian soldier whose persistent attempts to escape from a ten-year imprisonment, as related in his memoirs published about this time, had aroused the interest of the contemporary world.

[17] Collection of Maryland Historical Society, watercolor dated by donor from internal evidence.

[18] *Duplicate Signals at the Baltimore Observatory*, 1806, watercolor, signed "J. Barling," Maryland Historical Society.

period and certainly Captain Porter's London-made telescope and his good perspective glasses would have provided a view of the "Rocket's red glare" worth far more than the three dollars subscription price. It is unfortunate that no chart of the wartime signals can be found for it is quite likely some very interesting hoists were in use, one to report "Enemy in sight" as Admiral Cockburn's fleet cruised off the Patapsco; or equally important, "No enemy in sight" so that the "Baltimore Flyers," as the clippers were then called, could slip out to raid British commerce.

For the period immediately following the war when sea-trading again became active a third chart, dated 1817, is extant: a watercolor containing sixty-six private signals and eight ensigns.[19] Sometime before 1830 the Observatory came under the management, and apparently the ownership of Thomas L. Neilson and John L. Dudley, both of whom were also associated with the Merchants' Exchange, then the focal point of all Baltimore's sea-trade. Neilson and Dudley extended the Observatory's watch system by building about 1832-33 another look-out house, located at Bodkin Point.[20] There the watcher could see well down the Bay, and hoisting a signal on his mast, the colors were picked up at the Observatory. Here the hoist was repeated and a third watcher in the upper story of the Exchange itself announced the arrival of the vessel, then perhaps some sixty-five miles below. About 1846 a third station, at North Point, is said to have been in operation; but if so, it is difficult to see a sound reason for it unless some structure had been erected cutting off the view of the Bodkin station. There may, however, have been no reason whatsoever since when Neilson died in 1859 his eulogist remarked that Neilson was "noted for eccentricity of character."[21] In the same year the system of ship identification signals devised by a Baltimorean, Henry J. Rogers, co-worker of Samuel F. B. Morse on the magnetic telegraph and close friend of Dudley, was used at the Observatory. But as the system did not come into general use it was quickly dropped and the old private signals reinstated.[22]

[19] *Duplicate Signals at the Baltimore Marine Telegraph, 1817*, watercolor, Maryland Historical Society.

[20] Charles Varle, *A Complete View of Baltimore* (Baltimore, 1833), p. 67.

[21] Thomas H. Nelson [*sic*] obituary, *Baltimore American and Commercial Advertiser*. December 2, 1859.

[22] For a description of Roger's system see M. V. Brewington, "Signal Systems and Ship Identification," *The American Neptune*, III (1943), p. 205; Henry J.

One of the Neilson watchers was Thomas W. Lawrence, who, so it is said, spent his time when his eyes were not at the telescope or his hand on the signal halliards, making watercolored copies of the signal charts. These he sold for two dollars each. One of them dating from internal evidence between 1843 and 1857 has been preserved through a poor reproduction in the *Sun* of April 19, 1908.[23] Watercolor copies, though, had been superceded in 1852 when a large colored lithograph with ninety-seven signals and a portrait of the ship *Alexander*, flying the flag of Alexander Brown and Sons was issued.[24] That chart was followed in 1860 by another lithograph with 104 flags, including six ensigns, one of which to the maritime world was a very new one, that of the Rising Sun of Japan.[25] A view of the Observatory itself decorated the chart.

Throughout the Civil War the Observatory, now managed by George U. Porter and Marcus L. Dudley, was surrounded by the breastworks of Fort Federal Hill. A print of the Fort during the war period shows not only the staff on the Look-out House but also the four other staves bare of signals.[26] Whether the Federal troops stopped operations of the Observatory is not known, but it would appear so.

When the City of Baltimore condemned Federal Hill for a public park (1875) the proprietors of the Observatory offered to

Rogers, *The Telegraph Dictionary and Seamen's Signal Book* (Baltimore, 1845), pp. vii-xi.

[23] "History of the Steamboat on the Chesapeake," Baltimore *Sun*, April 19, 1908.

[24] *Duplicate Signals at the Marine Telegraph for 1852*, lithograph, Maryland Historical Society.

[25] *Private Signals, Marine Observatory, 1860*, lithograph, Maryland Historical Society. Two very large charts, oil on canvas, *Private Signals of the Merchants of Baltimore* and *Private Signals of the Merchants and Underwriters of Baltimore*, are also extant. The first, unsigned and undated, is owned by The Mariners' Museum; the second, signed "William Cook, New York, 1854," is in a private collection. Both appear to be by the same hand and show the same signals in identical arrangement. The signals are those given in the 1860 lithograph but the arrangement varies slightly and the decorations are quite different, that of the first being a painting obviously inspired by John White's 1585 drawing of Indians building a log canoe; that of the second is a fair copy of the Bartlett-Fisher view of Baltimore. If the charts are contemporary, their purpose cannot be discovered, but neither adds to the story of the observatory.

[26] *Fort Federal Hill, Baltimore, Md., Garrisoned by the 7th Regiment (National Guard) NYSM . . .* (1862), lithograph by Sachse in the Society's collection; also item 45, Enoch Pratt Free Library, *Catalog of the Cator Collection of Baltimore Views* (Baltimore, 1933). George U. Porter does not appear to have been related to David Porter. The former and Marcus L. Dudley operated the Maritime Exchange, usually known as the Merchant's Exchange. Its records of vessel entries and clearings, 1833-1872, are in the Society's collections.

construct a new and in their opinion more pleasing, building at their own expense, if they were allowed to continue business on the site. By July 1885 Messrs. Porter and Dudley had removed the last stick of the old structure—" a great relief," the Park Commission reported.[27] The proprietors themselves did not build the replacement; the Park Commission did the work appropriating $8000 (the original had cost not more than $750) for the new Observatory.[28] It was completed in 1887 and thereafter the Commission collected an annual rental of $325; $200 for the Observatory and $125 for an ice cream stand on the first floor![29]

The work of the Commission certainly was not the equal of that of old Captain Porter. His Look-out House, stark and clean with its almost Frank Lloyd Wright lines stood the storms of 88 years. Not so the Park Commission's structure. Within a year after it had been opened, rank with the gingerbread of the era, it was reported " 6 inches out of plumb from last winter's gales." Windows were continually being broken and the building itself " rocked ominously under [storm] pressure."[30]

But by then there was little work left for the Signal Station. Communications faster and more accurate than flag hoists had been devised. On June 7, 1899, the past proprietor, Marcus Dudley, sold his interest to the Chamber of Commerce which promptly set up a telephone system linking their offices with Cove Point far down the Bay to get the entries through the Capes of Chesapeake, and another line with North Point to get the Bay traders. There had been 102 years of faithful service rendered by the flags and telescopes. Now their day had passed and as if the very building knew its work was finished, in a summer squall on July 20, 1902, amid the crash of thunder as loud as the guns which had heralded its opening and the flash of lightning reminiscent of the " rocket's red glare," the Look-out House toppled and fell apart.[31]

[27] *Report of the Park Commissioners for the year ending December 31, 1885,* p. 22-23.
[28] *Ibid.*, 1886, p. 5.
[29] *Ibid.*, 1887, p. 29, 53.
[30] *Ibid.*, 1888, p. 18; *ibid.*, 1896, p. 23.
[31] Baltimore *Sun*, July 21, 1902.

DANIEL RAYMOND, ESQUIRE FOUNDER OF AMERICAN ECONOMIC THOUGHT

By Charles J. MacGarvey

This paper is presented as a biographical sketch to precede a more extensive study, now in preparation, of the life and works of Daniel Raymond, lawyer, writer and economist. It has been written with a view to stimulate the interest of all thoughtful Marylanders in the writings of Raymond, so that at last he may be formally acknowledged as the adopted son of our state, who along with Adam Smith, Friedrich List and others played a significant role in the early development of economic thought.

Daniel Raymond was born in Montville, Connecticut, on September 12, 1786, the fourth son of Daniel Fitch Raymond, farmer and landowner.[1] He was named Daniel Fitch after his father, but dropped the second name while in his teens. On his father's side, he descended in a direct line from Richard Raymond (or Rayment), original settler of Salem, Massachusetts, and Thomas Fitch, the last colonial governor of Connecticut. His mother, Rachel Hillhouse, was the daughter of the famous Judge William Hillhouse and Sarah Griswold Hillhouse, and youngest sister of James Hillhouse, United States Senator from Connecticut and friend of George Washington. She was named for her great-grandmother, Rachel Hillhouse of "Free Hall," near the town of Londonderry, Ireland.[2] Raymond's home was on a substantial farm near Schofield's Satinet Mill, Montville, the site of which was formerly a part of the original Raymond Hill Farm.[3]

Little is known of his early years, except that his three older

[1] Henry O. Baker, *History of Montville, Connecticut, formerly the North Parish of New London, from 1640 to 1896* (Hartford, Connecticut, 1896), p. 585.
[2] W. W. Spooner, editor, *Historic Families of America* (Historic Families Publishing Asso., New York, n. d.), p. 256.
[3] Baker, *op. cit.*, p. 584.

brothers died before he was nine, possibly saddling him with the responsibilities of the eldest son from then on. His younger brother, David Hillhouse Raymond, graduated from Yale in the class of 1810. Daniel and David both entered Judge Tapping Reeve's Law School in Litchfield, Connecticut, in 1810, and remained there under the Federalist influence of Judges Reeve and Gould, until 1812. In 1810 there was a large student group at Tapping Reeve's Law Academy in Litchfield, and Daniel Raymond was thrown in contact with many who later won fame and high political office.[4] His great friend among the law students was Louis Eichelberger, of Baltimore, who later became head of the Board of Commissioners of Insolvent Debtors for the city and county of Baltimore.[5] It was Eichelberger's urging which persuaded Daniel Raymond to come to Baltimore, when his mother's death in December, 1811, and his father's remarriage a year later, made him decide not to remain in Montville. In the meantime, his brother David Hillhouse Raymond was admitted to practice law in Montville, but shortly thereafter moved to New York City. David married in New York, was the author of a pamphlet on George Washington, and died in St. Francisville, Louisiana, in 1820.[6]

There is every reason to believe that Daniel Raymond and Louis Eichelberger travelled together during 1813, and on March 28th, 1814, the two friends appeared before Chief Judge Joseph H. Nicholson and Associate Justice Frederick Bland, of the Baltimore County Court of the Sixth Judicial District, and were duly admitted as attorneys of the Court. Their examiners were John Purviance, Nicholas Brice, and Nathaniel Williams.[7] Raymond's motion for admission is the first entry in the Court Minutes for 1814. Two days later, they each signed the old " lawyers book " to qualify as law practitioners.

[4] D. C. Kilbourn, *The Bench and Bar of Litchfield County, Conn.* (Litchfield, Conn., 1909), pp. 195-214. Some of the eminent men attending the Litchfield school while Raymond was there were James Booth, Jr., Chief Justice, Delaware; William C. Gibbs, Governor, Rhode Island; James G. King, Member of Congress, New York; Judge Garrick Mallory, Pa.; William D. Martin, M. C., South Carolina; Henry Shaw, M. C., New York; Edward F. Tatnoll, M. C., Georgia, and others.

[5] Baltimore City Directories, 1831-1836.

[6] David Raymond, *An Oration delivered on the 22nd of February 1813, at Washington Hall, in the City of New York, before the Hamilton Society* (New York, 1813).

[7] Minute Book of Baltimore County Court for Year 1814, Record Department, Superior Court, Baltimore City Court House.

Raymond set up offices at the corner of St. Paul's Lane and Chatham (Fayette) Street, and proceeded to wait for clients. He must have received financial help from his father during this time, as his law practice was anything but good. His friend Eichelberger shared rooms with him there for some years. The strong Federalist teachings of Reeve and Gould, combined with the sage advice and counsel of his favorite uncle, Senator James Hillhouse of Connecticut, encouraged him more and more in the study of political and social problems, probably with Eichelberger as a willing disciple.

When General Samuel Smith called for volunteers to defend Baltimore against the British in August, 1814, both Raymond and Eichelberger came forward. Louis Eichelberger became a private in Captain Nicholson's Company of Baltimore Fencibles. Daniel Raymond joined Captain Pennington's Company of Baltimore Independent Artillerists. They fought during the bombardment of Fort McHenry, in units which acquitted themselves nobly, according to their commander, Lt. Colonel George Armistead.[8]

In 1819, Daniel Raymond first broke into print, with the publication of *The Missouri Question.* This was a small, unbound pamphlet of 39 pages, and was printed by Schaeffer and Maund of Baltimore. It commanded immediate interest, being written in strong support of congressional prohibition of slavery in Missouri. It was well written, with clearly defined economic and statistical arguments pointing out the dangers of the rapid increase in the size of the colored population. In it Raymond arrived at the following conclusions:

> It has, however, been made a question, whether Congress has any right or power under the constitution to restrain the introduction of slavery into the new states. If this be the case, it puts an end to the question, and the horrors of slavery must be permitted to extend through all that western world, to the prejudice of both the new states, and the old; at least until the constitution can be altered.
>
> . . . At all events, congress has the power of preventing the introduction of slavery into that western world. So long as it remains in a territorial state, congress has the same right to legislate for it, as a state has to legislate for itself, and, of course, the right to prohibit the introduction of slaves. If congress prefers keeping it in a territorial state for the purpose

[8] William M. Marine, *The British Invasion of Maryland 1812-1815* (Baltimore, 1913), pp. 278, 413; *The Citizen Soldiers at North Point and Fort McHenry, September 12 & 13, 1814* (Baltimore, 1889), pp. 12, 16.

of preventing slavery, to admitting it into the union as a slave state, no one will question the legality of such an exertion of its power. . . . If then, these territories will not consent to become members of the union, upon such terms as congress pleases to prescribe, let them remain territories, and be subject to such laws as Congress see fit to enact.[9]

Raymond was excoriated by the southern faction on the floor of Congress, who denounced him " as being in the pay of abolitionist groups." The little pamphlet was considered to be " quite influential in the slavery controversy " then raging in Congress, and gave assistance to the advocates of Congressional prohibition.[10]

One year later, November 28th, 1820, Daniel Raymond published his *magnum opus*, *Thoughts on Political Economy*.[11] While no effort will be made here to offer a long discussion of the present literary or scientific value of the work, it cannot be denied that it had great contemporary influence and that it was the first systematic treatise on Political Economy to be written by an American. Just as Adam Smith is called the founder of the classical school of economics in England, so may Danield Raymond, counsellor at law, member of the Baltimore Bar, and protégé of Robert Goodloe Harper, be termed the founder of the American school of economic theory. He is recognized as a writer whose work influenced the thinking of many later economists, both here and abroad.[12] Raymond dedicated his book to his mentor, Robert Goodloe Harper, former United States Senator, in a letter calling modestly for Harper's support of his economic principles. In the preface to the work, Raymond willfully tried to depreciate its worth:

The following sheets were written to please myself—my principal object in writing them, was employment. The public has not seen fit to give me constant employment in my profession, otherwise this book had never been written. Idleness was irksome, and I sought relief in putting on

[9] *The Missouri Question* (Baltimore, 1819), pp. 37-38.

[10] Joseph Dorfman, *The Economic Mind in American Civilization, 1606-1865* (New York, 1946), II, 567.

[11] Daniel Raymond, *Thoughts on Political Economy in Two Parts* (Baltimore: Fielding Lucas, Jr., 1820).

[12] Dorfman, *op. cit.*, II, *passim*, credits Raymond with having greatly influenced such writers as George Tucker, Matthew Carey, Friedrich List, Willard Phillips, John Rae, Nathaniel A. Ware, the Reverend Julian Sturtevant, and Henry C. Carey; Ernest Teilhac, *Histoire de la Pensée Économique Aux États-Unis au Dix-Neuvième Siècle* (Paris, 1928), pp. 53, 55, 169, ascribes an equally wide influence to Raymond; Charles Patrick Neill, *Daniel Raymond, An Early Chapter in the History of Economic Theory in the United States* (Baltimore, 1897), is of the same view.

paper some of my notions on political economy. If the public shall think this is a sufficient justification for writing a book, it is well; if not, I cannot help it—I have no other to offer.

Many have misjudged the work because of Raymond's petulant outbrust in the preface. For example, Professor Lewis H. Haney, of New York University dismisses him as a " forerunner of Carey " stating that " he shows the American school's characteristic animosity to England." [13] However, others who have studied Raymond's work have recognized the historical value of his writings, and have acknowledged him as the systematic originator of the so-called " American System " of political economy. The late Professor Charles Patrick Neill in his monograph on Raymond declared that the importance of Raymond's work was not alone in that it was the first systematic treatise on economics from the pen of an American, but also that it showed the influence of American conditions, and in consequence presented a theory of political economy opposed at all points to the prevailing system developed by the dominant school of Adam Smith.[14]

The French economic historian, Ernest Teilhac, says of him:

> Raymond's doctrine represents the contrast between American and European economic conditions. The consequence is two-fold: first, Raymond represents a reaction against the doctrines of the classical school; second, the form of this reaction was quite different from the form it was to take in Europe where it represented the contrast between Continental and English conditions. Although Raymond's work had but slight success during his lifetime, it is still read. This is an indication of its real value for all those who are able to discern in political economy something more than a science of business, something more than the technique of capitalism.[15]

Joseph Dorfman in his *Thorstein Veblen and His America* gives considerable credit to Raymond as a pioneer in American political economy, referring to the *Thoughts on Political Economy* as " The Leviathan of Daniel Raymond." [16]

Raymond's book was a challenge to America to " break loose

[13] Lewis H. Haney, *History of Economic Thought* (New York, 1936), p. 317. Haney's opinion of Raymond is generally most unfavorable; Neill, *op. cit.*, pp. 8, 39-40, strongly denies that Raymond drew his inspiration from this anti-British sentiment.

[14] Neill, *op. cit.*, p. 8.

[15] Teilhac, *Pioneers of American Economic Thought in the Nineteenth Century*, authorized English translation by E. A. J. Johnson (New York, 1936), pp. 51-52.

[16] Dorfman, *op. cit.*, II, p. 566.

. . . from foreign theories and systems of political economy," and laid down principles and laws favoring economic isolation, by means of protective tariffs and internal controls, in order to increase production, wages and national wealth. It opposed Adam Smith's classical principle of *laissez faire* with its paper money and unregulated credit. National wealth was defined as a " capacity for acquiring the necessaries and comforts of life," and Raymond declared that such capacity can never exist independent of labor.[17] Raymond stated that Adam Smith had failed to define national wealth, although he had written three volumes on the subject. Raymond's assertion that a " nation is in the greatest state of prosperity when the annual production just equals the annual consumption " may sound trite to modern ears, but it presented a new concept of the balance of trade in American national economics at that time.[18] He insisted that it was not in the province of political economy to study how values are created and augmented, nor how individuals or classes may acquire wealth, but rather it should study how the government may best legislate in order to effect the greatest well-being to all citizens alike.[19] He decried slavery in the strongest terms:

> The iniquitous system of slavery which gives to the slave owners an interest in the flesh and blood of their fellow creatures, has placed a noose about the neck of the slave states, which threatens, and is indeed actually inflicting strangulation upon a large portion of the white inhabitants, and the only way of getting out of the noose is by forcing the slave owners to let go their hold upon their slaves, and set them free.[20]

Among those who welcomed Raymond's book with enthusiasm was Matthew Carey of Philadelphia, who offered, in " a degree of quixotism " to endow a professorship of political economy in the University of Maryland, and to pay the expenses thereof to the extent of five hundred dollars a year, provided Raymond would accept the professorship.[21] This, Daniel Raymond was unwilling

[17] *Thoughts on Political Economy*, p. 55.
[18] *Ibid.*, p. 37.
[19] *Ibid.*, p. 150.
[20] *Ibid.*, p. 454.
[21] Matthew Carey, *Autobiographical Sketches in a series of letters addressed to a Friend: Containing a view of the Rise and Progress of the American System* (Philadelphia, 1829), p. 93; Daniel Raymond, *The Elements of Constitutional Law and Political Economy* (4th ed., Baltimore, 1840). In the introduction to this edition Raymond quoted excerpts from letters he had received from Jhon Quincy Adams, John Jay and John Marshall to whom he had presented an earlier edition. All three expressed approval of his doctrines.

to do, being more interested in bettering his position in the legal profession in view of the impending retirement of his friend, Robert Goodloe Harper, from the leadership of the Baltimore Bar.

In 1821, Raymond was employed as an associate defense counsel in the famous case of the State of *Maryland* v. *Buchanan, McCulloh and Williams.* This was a case in which three officials of the Baltimore branch of the Bank of the United States had been indicted and tried for embezzlement of bank funds. The defendants in question were James A. Buchanan, President, James W. McCulloh, Cashier, and George Williams, Clerk. They were acquitted in the lower courts, but the State of Maryland appealed the verdict, the case being argued before Chief Justice Jeremiah T. Chase, with Judges Buchanan, Earle and Martin sitting at the December, 1821, term of the Court of Appeals.[22] General Winder was senior defense advocate, with Pinkney, Kell, Archer and Maulsby assisting. Raymond's friend, Robert Goodloe Harper was the leading counsel for the State, and was responsible for the compilation of the reports ordered published by the President and Directors of the Bank of the United States. An outcome of this case was Raymond's *Argument before the Court of Appeals of Maryland* (Baltimore, 1823), in which he questioned the right of the state courts to adjudicate a case involving a foreign corporation.[23]

At the end of the same year, the second edition of *Thoughts on Political Economy* was published in two volumes, retitled *The Elements of Political Economy.* It was prefaced by a short note of thanks to the public for the reception given to the first edition which the author states was but a model, and much " to small a work." [24] Although the general tendency of the book was to soften the dogmatic harshness of the 1820 edition, the storm of

[22] *An Exhibit of the Losses Sustained at the Office of Discount and Deposit, Baltimore, under the Administration of James Buchanan, President and James W. McCulloh, Cashier: Compiled and digested under the direction and superintendence of Robert Goodloe Harper* (Baltimore, Printed by Thomas Murphy, 1823), p. 82.

[23] Daniel Raymond, *The Argument of Daniel Raymond, Esquire, before the Court of Appeals of Maryland, at the December term, 1821, in the case of the State of Maryland versus Buchanan, McCulloh and Williams, upon an indictment for a conspiracy to cheat the Bank of the United States,* reported by Thomas Harris (Baltimore, John D. Toy, 1823).

[24] Daniel Raymond, *The Elements of Political Economy in Two Parts: Second Edition, in two volumes: by Daniel Raymond Esquire, Counsellor at Law* (Baltimore: F. Lucas, Jr. and E. J. Coale, 1823).

vituperation let loose on Raymond's head was appalling. In the fall of 1824, came the first of the most vicious attacks on him, by William Branch Giles of Virginia. In a series of long-winded letters to the Richmond *Enquirer*, he denounced Raymond and his American System, as a foreign born policy, made up to wreck the Union and the country.[25] Professor Charles Patrick Neill of Catholic University gives a very concise explanation for this reception:

> The failure of Raymond's work to win popular favor is not in itself sufficient to convict the public of his day of an indifference to his science; the cause of this failure may more properly be sought in the character of the work itself. It was not without merit; in many respects it was worthy of the attention of the time, and merited a more careful and considerable perusal than it received. But looseness of method marked it, and frequently confusion of ideas; and in addition it touched upon too many questions that were then the centers of political storms. On one side or another, it found itself in opposition to some popular prejudice. It ran counter to the philosophy of individualism, which was the accepted gospel of the elect of those days. Its advocacy of protection was too liberal to please the more rabid advocates of an American System, and too pronounced, on the other hand, to win readers from amongst the strict disciples of *laissez faire*. Its intolerant opposition to banks and to all forms of corporations destroyed the value of his work in the eyes of the advocates of these institutions. His fierce hatred of slavery was a fatal obstacle to popularity in the South.[26]

Coincident with the publication of the second edition occurred the death of Judge Tapping Reeve, of Litchfield, Connecticut, and on Christmas Eve, 1823, a meeting of the Baltimore Bar was called to order in the City Court Room, by General Robert Goodloe Harper, Chairman, with Louis Eichelberger acting as Secretary. The meeting considered a resolution offered by Mr. Mitchell, seconded by Mr. Raymond, deploring the death of their old teacher.[27]

Again in 1828, following the publication of Friedrich List's *Out-*

[25] In the Richmond *Enquirer*, Aug. 26, 1825, Giles declared: "Raymond is believed to be a disciple and leader of the new political School, and like most zealous sectarians . . . , he is, in that respect, a fanatic. The writer thinks that Raymond possesses some genius when he treats of the elements of political economy in reference to governments of unlimited power. Fanatics . . . never reason themselves, nor listen to the reasoning of others. They become stripped of their intellectual energies by the delirium of fantastical passionate excitements. . . . What absurdities and difficulties must ever encompass the disciples of the new school in every attempt to exhibit to the world the militant combustible elements of their fantastical destructive political economy."

[26] Neill, *op. cit.*, p. 23.

[27] *Federal Gazette and Baltimore Daily Advertiser*, December 26, 1823.

lines of American Political Economy (Philadelphia, 1827), which seems to have drawn on Raymond's work without acknowledgment, Raymond published another controversial pamphlet, this time anonymously, entitled *The American System*.[28] It was written in defense of the protective tariff, and to uphold the right of Congress to pass such laws. The Act of 1824, which had been so roundly denounced by Daniel Webster, was being assailed as unconstitutional, and a violation of state rights, in the fury of the campaign for the presidency.[29] Again the South came forth with sharp criticism of Raymond's writings, and this 42-page pamphlet caused as much furor as the *Missouri Question* of 1819. His old opponent, W. B. Giles, denounced him in further letters to the Richmond *Enquirer*, and on the floor of the Virginia State Constitutional Convention of 1829.[30]

In 1830, Raymond was married to Miss Sarah Amos, the daughter of Isaac and Catherine Amos of Baltimore, and grand-daughter of William and Sarah Worthington.[31] Shortly after his marriage, he moved to Allegany County, where he was admitted to practice at the Allegany County Bar.[32] His first child, Daniel Fitch Raymond, was born in Allegany County in July, 1832, followed by a daughter, Fanny Elizabeth, born in October, 1834. His wife, Sarah Elizabeth Raymond, died on April 7th, 1836, and is buried at Friendsville, Allegany County.[33] In the same year, on November 15th, 1836, Raymond's friend, Eichelberger, died in Baltimore, aged 45 years.[34]

It is of interest to digress and note that, about a year prior to this time, Raymond's younger brother, James Raymond, who had graduated from Yale in the class of 1818, and Tapping Reeve's Academy in 1820, removed from Connecticut to Frederick, Maryland, where he was admitted to the practice of law in 1835. He married Caroline Ruth, daughter of William A. Thompson of

[28] Neill, *op. cit.*, pp. 46-63, discusses this question and points out parallels in List's work. Neill's analysis strongly indicates that List owed Raymond a large and unacknowledged debt; [Daniel Raymond], *The American System* (Baltimore: Lucas and Deaver, 1828).

[29] [Daniel Webster], *Speech of Mr. Webster upon the Tariff; delivered in the House of Representatives of the United States, April 1824* (Washington, 1824).

[30] Dorfman, *op. cit.*, II, 573.

[31] Samuel Raymond, *Genealogy of the Raymond Families in New England* (New York, 1886), p. 43.

[32] James T. Scharf, *History of Western Maryland* (II, 1353).

[33] Dielman biographical file, Maryland Historical Society.

[34] *Ibid.*

Frederick. After some years in Frederick he moved to Westminster, Carroll County, where he remained until his death on January 27, 1858.[35] In 1844 he was elected to a term in the House of Delegates, and in 1847 was appointed State's Attorney.[36] He wrote three books, one of which was a digest of Chancery decisions in Maryland.[37]

In 1837, Daniel Raymond was married a second time to Miss Delilah Mattock or Matlock, a Virginian said to be of old Revolutionary stock.[38] The next few years of his life are unclear, but he is known to have removed to West Virginia, where he became interested in iron manufacturing, but in this enterprise he met severe financial reverses.[39]

In the interim, in 1836, came the third edition of his book on political economy, again in two volumes, and practically a reprint of the edition of 1823.[40] This was published in Baltimore, as was the fourth edition, a veritable copy of the one-volume first edition, but retitled *The Elements of Constitutional Law and Political Economy* (Baltimore 1840). It was prefaced by an exposition of the U. S. Constitution in true Raymond style, running to thirty pages. It came in for a goodly share of criticism on the floor of Congress, when John Quincy Adams offered a motion to have the work placed in the library of the House of Representatives.[41] The motion was tabled after a spirited discussion started by the Southern faction who were always vehemently in opposition to Daniel Raymond's theories.[42]

At the beginning of 1845, he went to Cincinnati, Ohio, where his son, William Hillhouse Raymond, was born on May 12th, 1845. His law offices were at Main and Walnut Streets, and his

[35] Information supplied by Alumni Registrar of Yale University.

[36] *Biographical notices of Yale College Graduates (1816-1884)* (New Haven, Conn., n. d.).

[37] His publications were: *Digest of the Maryland Chancery Division* (New York, 1839); *Prize Essay on the Comparative Economy of Free and Slave Labor in Agriculture* (Frederick, Md., 1827); *Political or the Spirit of Democracy in '56* (Baltimore, 1857).

[38] Samuel Raymond, *Genealogy*, pp. 43-44.

[39] *Progressive Men of Montana* (Chicago, n. d.), p. 813.

[40] Daniel Raymond, *The Elements of Political Economy in Two Parts*: (3rd ed., 2 vols., Baltimore: Fielding Lucas, Jr., 1836).

[41] Raymond presented a copy of this 4th edition to John Quincy Adams, as evidenced by an inscription in the Adams copy, now in the Orlando Weber Collection, Firestone Wing, Princeton University Library. The inscription reads: "Presented to the Honorable J. Q. Adams with the compliments of the Author."

[42] Neill, *op. cit.*, pp. 27-29, *fns.*

residence at East Spring St., near Liberty.[43] He is said to have engaged in journalistic work in Cincinnati, in addition to his law work, but beyond a memorial to the U. S. Congress, a political pamphlet of some 16 pages, written while he was still in West Virginia, and a short article in the *American Whig Review* of April 1848, the only thing of note from his pen was a 126-page commentary on Constitutional Law, published in Cincinnati in 1845.[44] The memorial to Congress (written possibly in 1840 or 1841) clearly shows that he had lost none of his old attitude regarding nationalistic policies and government controls; while the article in the *American Whig Review* was a strong attack on the Democratic Administration for suggesting a decrease in the price of public lands in order to raise additional revenue. Raymond pointed out the fallacy of trying to stimulate the sale of something for which there was no demand at any price, and advised the raising of the needed revenue by a protective tariff. This was his last appearance in print.

He died of cholera in Cincinnati, on July 14th, 1849, leaving his widow, Delilah Raymond, with the care of four small children the youngest, Winthrop Raymond, being but two years old. He was originally buried in the Methodist-Protestant Cemetery in Mount Auburn, but the body was removed to the famous Spring Grove Cemetery, in Cincinnati, on October 10th, 1876.[45] In 1851, Mrs. Raymond moved into Missouri, where she lived until 1865. She removed to Montana in that year, accompanied by her two youngest sons, William Hillhouse Raymond and Winthrop Raymond; and her daughter Sarah. Sarah Raymond was the first school teacher in Montana Territory, in Virginia City and was the author of an interesting tale of over-land travel, the story of the journey of the Raymond family across the plains from Missouri to Virginia City, Montana Territory, in 1865.[46]

A recent writer on economic history, the late J. F. Normano, former lecturer on economics at Harvard University, in his *The*

[43] Cincinnati, Ohio, directories for 1846 and 1849.

[44] Daniel Raymond, *The Bankrupt Law, the Fiscal Agent and Auction Duties,* Library of Congress Political Pamphlets, vol. 118. The date is unknown—possibly 1841; *American Whig Review*, VII (April 1848); Daniel Raymond, *The Elements of Constitutional Law* (Cincinnati, 1845).

[45] Information supplied by Mrs. Alice P. Hook, Assistant Librarian, Historical and Philosophical Society of Ohio.

[46] Sarah Raymond Herndon, *Days on the Road, Crossing the Plains in 1865* (New York, 1902).

Spirit of American Economics has aptly summed up Raymond's role in the history of economic thought:

> Raymond felt his own tragedy more than did his future critics and interpreters. In the preface to The Elements of Political Economy, he remarked that "It would indeed be a wonder if a book on any subject, written on the wrong side of the Atlantic, with the author's name to it, should be favorably received b;y the public generally. Our independence is not yet sufficiently established for that." One can vividly imagine the development of Raymond's critical and creative abilities, and his eventual influence on the right side of the Atlantic at that period. He certainly would be a participant of Ricardo's breakfasts, a member of the Political Economy Club, would have intellectual associations; his books would be read, his thoughts discussed. One can imagine Raymond in the British Parliament as a worthy counterpart or ally of David Ricardo. But Raymond was born in Connecticut, and the solitude and dullness of his law office in Baltimore were the only immediate causes of his interest in political economy.[47]

[47] (New York, 1946), pp. 85-6.

SHARPE'S CONFIDENTIAL REPORT ON MARYLAND, 1765

Edited by Aubrey C. Land

Horatio Sharpe (1718-1790) held the office of chief magistrate in provincial Maryland during a particularly crucial period of our colonial history. Arriving in the colony in 1753 immediately before the first skirmishes of the border warfare which merged into the French and Indian War, he remained governor throughout that conflict and on into the turbulent days of the Stamp Act until Robert Eden, a relative of the Lord Proprietor, superseded him in 1769. The very length of Sharpe's term of service, sixteen years, speaks persuasively for his administrative talents. Biographers have praised the personal qualities of tact and perseverance he displayed in attempting to carry out policies which were becoming increasingly distasteful to a rapidly maturing province. Both Lady Matilda Edgar and Professor Paul Giddens have portrayed Sharpe as a man whose public and private life gained him the respect even of his opponents.[1]

Aside from the two studies of his career in Maryland, Sharpe is unusually well revealed in his official correspondence published in volumes VI, IX, XIV, and XXXI of the *Archives of Maryland*, These letters to the Lord Proprietor, to Secretary Cecilius Calvert, and to various British officials concerned with American affairs present the intricacy of colonial administration in detail. But Governor Sharpe's personal reactions to the discharge of his office perforce rarely appear. In his private correspondence he went beyond the flowery insinuations of his letters to British officialdom.

[1] Lady Matilda Edgar, *A Colonial Governor in Maryland, Horatio-Sharpe and His Time, 1753-1773* (London, 1912); Paul H. Giddens, "Land Policies and Administion in Colonial Maryland, 1753-1769," *Maryland Historical Magazine*, XXVIII (1933), 142-171, "Maryland and the Earl of Loudon," *ibid.*, XXIX (1934), 268-294, "General Horatio Sharpe Retires," *ibid.*, XXXI (1936), 215-225, "Governor Horatio Sharpe and His Maryland Government," *ibid.*, XXXII (1937), 156-193.

The following letter to his brother, William Sharpe, written when the Stamp Act troubles had reached a climax in Maryland, deals frankly with the practices of Cecilius Calvert, secretary of the province and factotum of Frederick Lord Baltimore, on the one hand and with the difficulties of a provincial governor who faced a refractory populace on the other. The letter explains why Maryland had not protested the Stamp Act earlier and accurately predicts future political trends in the colony.

A draft of this letter, with many strike-overs and interlineations, is preserved in the Personal Miscellany of the Manuscripts Division of the Library of Congress. It is here printed without changes in orthography or punctuation. From internal evidence the draft has been dated between the 7th and 21st of October.

Annapolis October the —— 1765.

Dear Brother [2]

Expecting that I shall within these few Days have an Opportunity of transmitting Letters to London by a Vessel bound thither from this Place I now take a Pen in hand to express to You once more my Acknowledgments for the many Proofs You have given me of Your Affectionate Regard & Solicitude to serve me, & particularly for those You mention in the Letter you were so kind as to favour me with the 26th of April last. I am very glad Your Application last Spring to Mr. Grenville [3] procured my Friend Doctor Scott [4] the Comptrollers Office of North

[2] William Sharpe (d. 1767) was the first clerk to His Majesty's Council in Ordinary. His official position gave him an opportunity to perform many favors for Governor Sharpe.

[3] George Grenville (1712-1770) had become first Lord of the Treasury and Chancellor of the Exchequer in 1763 after a phenomenal rise in the British political world. During his tenure of office he proposed the stamp duties which the American colonists violently opposed. Among the offices under his patronage was the Potomac Controllership which Sharpe had solicited for his protégé, Dr. Scott.

[4] Upton Scott (1722-1814) came to Maryland as Sharpe's physician. In 1765 Scott succeeded his father-in-law, John Ross, as clerk of the provincial council, a position he retained until the separation from England. Governor Sharpe had previously asked the Lord Proprietor to give Scott the Collectorship of Patuxent. When Walter Dulany received the position instead, the governor was obliged to ask William Sharpe's aid in securing the less valuable controller's office for Scott. Since these offices were actually executed by deputies at a fraction of the total income in fees, they were sinecures for the nominal holders. Scott acted an ambivalent role during the Revolution. In 1776, or shortly thereafter, he went to England where he remained until 1780. When he returned to Maryland on a passport furnished by Benjamin Franklin, the revolutionary Council of State refused his request to take the oath of allegiance (*Archives of Maryland*, XLV, 227-228). By 1782, however, he was working with the new state regime which in that year paid accounts due him. In the same year he turned over to the Council of State all books and papers of the old proprietary Council (*Archives of Maryland*, XLVIII, 62, 208). His residence, the Upton Scott House, is one of the remaining colonial mansions of Annapolis.

Potowmack, which as those Officers have now a Right to demand certain Fees will probably be as good as a hundred a Year to him, I can assure you that no One in the Country is more deserving of the Favour, & that he is not wanting in Gratitude to You for so kindly interesting Yourself on his behalf. I did I think some time ago mention to Brother Philip [5] the Names of three or four London Merchants who would if called on have given Security for the Doctor but I suppose he had forgot it, which I am sorry for because it seems to have occasioned some trouble to You.

I am exceedingly concerned to find by Your Letter that Brother Phill had for some time been in an ill State of health, which his long Silence indeed made me apprehensive was the Case. I most sincerely wish him better, & that You & the Doctor [6] may be long able to give so good an account of Your own health as You do in the Letter now before me. Such Intelligence whether it comes to me Directly from Yourself or thro some other Channel will (Believe me) be the most agreeable I can receive, & while Brother Philip is so kind as to correspond with me I cannot knowing how You are circumstanced desire You to take the trouble of writing to me Yourself, I shall nevertheless from time to time take the liberty of addressing a Letter to You as if You still favoured me with Your Correspondence, & when I write to him You will be also acquainted with the purport of my Letters.

Whether I am reimbursed my Travelling Expences or not I shall always consider myself under the greatest Obligation to You for the several Steps You have taken to get the Money for me but am afraid I shall lose the whole thro the mean part which General Amherst [7] acted towards me when my Claim was transmitted & I was referred to him for payment.

I am glad to learn from You that Lord Baltimore [8] is so well after his

[5] Philip Sharpe, brother of Governor Horatio Sharpe.

[6] Gregory Sharpe (1713-1771) was an elder brother of Governor Sharpe who referred to him as the "Doctor" in correspondence. Dr. Sharpe was a noted savant and controversialist of the mid-eighteenth century. His great learning brought him the appointment as Master of the Temple, a position of dignity which allowed him to pursue his scholarly career. During his lifetime he published thirteen works and corresponded with eminent men of letters and science of England and the continent. His skill in oriental languages was uncommon for his day.

[7] Sir Jeffrey Amherst (1717-1797) had been promoted to major general by William Pitt who gave him command of the expedition against the French in North America in 1758. Amherst's striking success in the operations against New France was followed by his appointment in 1760 as governor-general of Virginia. After his failure to cope with Pontiac's rebellion he returned to England in 1763 without serious loss of prestige. He advanced in favor with the passing years receiving greater honors until his death. Amherst was not cordial to Sharpe's request for payment of expenses incurred in colonial defense.

[8] Frederick, sixth and last Lord Baltimore (1731-1771), had just returned from continental travels described in his book, *Tour in the East in the Years 1763 and 1764, with Remarks on the City of Constantinople and the Turks* (London, 1767). His reputation during his lifetime has not been qualified by subsequent apology. Winckelmann calls him "one of those worn-out beings, a hipped Englishman, who had lost all moral and physical taste." His wife, Lady Diana Egerton, daughter of the Duke of Bridgewater, died without issue. By his will Lord Baltimore bequeathed the province of Maryland to Henry Harford, one of his illegitimate children.

Travels, he has since his Return to England favoured me with a Letter expressing himself well satisfied with my Administration of Affairs here during his Absence from Great Britain, & assuring me of the Continuance of his Esteem & Friendship. I think myself much obliged to Mr Calvert [9] for his friendly Intentions & Declaration, but at the same time I must repeat to You that he has certainly a strange Way of supporting me as he terms it, for tho he tells You that Complaints are freqeuntly made against me & must consequently know who the Persons are that make them & on what Occasions, he keeps me entirely in the dark with regard to both the One & the Other, so that if I am complained of I have no Opportunity given me to vindicate myself or a Clue from his to lead me to a discovery of any Enemies.

I was in hopes that when Peace was restored the Administration of Publick Affairs in these Colonies would become easy & that I in particular should have no farther Occasion to contend with the Representatives of the Inhabitants of the Province which is entrusted to my Care, but I begin to apprehend that the Governors troubles are rather increasing, & that our Obedience to the Acts of Parliament lately made in Great Britain for Restraining the Trade of & imposing a Stamp Duty on His Majesty's American Subjects will render Us more obnoxious than ever to the people & be a means of lessening our Authority over them. You will I presume hear before this can reach You what lengths the New England People have gone in Opposing the Execution of the Stamp Act, & probably Mr Calvert will likewise have told You how ready our People were to follow the Example. They not only signified their Resentment agst & Abhorrence of their Countryman Mr. Hood [10] for accepting the Office of Distributor of the Stamps by burning him in Effigie but also pulled down a House he had hired in this place for the Reception of a Cargo of Goods he had brought from England for Sale, & obliged him to fly for Safety to New York; at least he did not think himself in Security till he got thither & as he is afraid to return was the stampt paper now to arrive here there is no person authorized to receive it. Had Mr. Hood been a Person of any Note in the Province or connected with people of any Consequence he would not probably have been treated with so great Indignity as he was upon his arrival here, but I believe that while the people remain in the Temper they are in at present it would be dangerous for any Person what-

[9] Cecilius Calvert (1702-1766) was the youngest son of Benedict Leonard, fourth Lord Baltimore, and consequently an uncle of Frederick. Cecilius became secretary before 1753 and retained that position during the remainder of his life. He died unmarried, leaving Frederick Lord Baltimore the only representative in the direct male line.

[10] Zachariah Hood, Maryland merchant, went to England in the summer of 1765 to get the embossed paper for his office as distributor under the Stamp Act. When he returned his acquaintances at first treated him coldly but were soon burning him in effigy. On the evening of 2 September 1765 a mob destroyed the house he had fitted out for his place of business. Hood fled first to New York, then later to the West Indies where he found a refuge. He petitioned the crown for an allowance to recompense him for the loss of property and the ruin of his business in Maryland. See, Paul H. Giddens, "Marvland and the Stamp Act Controversy," *Maryland Historical Magazine*, XXXVII (1932), 83-86.

ever to distribute or even take Charge of the Stampt paper destined for this Province, & therefore the Gentlemen of the Council have advised me to recommend it to the Commander of one of His Majesty's Ships on this Station to receive & keep it on board till farther orders can be received from England; which Measure I observe is also pursued by the several Governors of the Northern Colonies.

It seems I think by the Ministry's giving no Instructions to any of the Governors about receiving & securing the Stampt paper that they never expected any opposition would be made to the Stamp Act's being carried into Execution; but they have I suppose been informed before this that no sooner did an account of it's being passed into a Law reach America than the Inhabitants as it were with one Voice exclaimed against it as a Violation of their Liberties & dearest priviledges, & that the Gazettes in every Colony were weekly filled with Pieces calculated to inflame the People & persuade them that Obedience to such an Act was a Surrender of all the Rights they had hitherto enjoyed as British Subjects. The Act being particularly hard on the Lawyers & those concerned with the Courts of Justice They you may be assured took great Offence at it, & their Influence in these Colonies is really very great, the Mercantile People too have been very loud in their Exclamations against the Act, & the Assemblies have entered into Resolves declarative of their sole Right to lay Impositions on their Constituents; nor are any Persons to be found who are inclined or who will venture to say a word in vindication of the late Ministerial Measures or who will in any respect countenance those whose Duty it is made to see the Stamp Act carried into Execution. That you may see a Specimen of the Pamphlets which have been published in Defense of what is called North American Liberty I send You one that hath very lately made its Appearance here & is I understand well approved of.[11]

What may be the Issue of the Question now in Debate between Great Britain & her Colonies & of the Uproar which has been raised I know not, but it has already had this Effect that even in this Province Numbers of People out of Resentment to the Mother Country are actually preparing & have already begun to make Cloathing for their Families, & in order to encourage the Inferiour Class to do so many Gentlemen will this Winter cloath themselves with the Manufactures of Maryland, & as the Materials may be easily raised here it is not very improbable that the Demand for a Importation of Goods from Great Britain will from this period gradually decrease.

There is I perceive a Remark in one of the pamphlets that were published with you last Winter in Defence of the Stamp Act &c " that of all

[11] Daniel Dulany's *Considerations on the Propriety of Imposing Taxes in the British Colonies, for the Purpose of Raising a Revenue, by Act of Parliament* [Annapolis, 1765] appeared 14 August 1765 and immediately made a favorable impression both in the colonies and in England. Several editions were printed during the controversy over the Stamp Act. Dulany argued that the Stamp Act was both unconstitutional and impolitic. His bold attack on the theory of " virtual representation " effectively disposed of a favorite argument put forward in behalf of the act.

the Colonies Maryland alone had any pretence under her Charter to claim an Exemption from being taxed by the Legislature of Great Britain, & the Remarker concludes from our Assembly's making no Opposition to the Passage of the Stamp Act that they gave up the Point, when in fact the Reason of their not presenting a Memorial against it was that they had no agent at home to advise them of the Ministry's Intention, that by reason of the small pox's being here last Winter they did not meet in time enough to transmit any Memorial to parliament, & that they had no Agent at home to present a Memorial on their behalf. Had My Lord or Mr Calvert instead of remaining silent & indifferent as it were when a Bill of such Consequence to Maryland as well as the other Colonies was depending made some little Stir & exerted their Endeavours to prevent it's passing into a Law they would have made the people here conceive a much more favourable Opinion of them than they have been used to entertain, & would in all probability have been considered by the Assembly in a better light than that of meer Agents in provincial pay (especially as some of those are suspected of playing their Constituents false on Occasion of the Stamp Act) but I expect our Assembly will be now more eager than ever for the Appointment of a Provincial Agent [12] & I dont know but the Upper House or at least many of the Members are inclined to gratify them, & have already laid a Foundation by concurring with a Resolve of the Lower House that three of *their* Members should have £500 to expend for the Good of the Province & go the Beginning of this Month to a Congress at New York,[13] where in Consequence of an Invitation from the House of Representatives for the Province of Massachusetts Bay a few Members from almost all the Assemblies in N America are met in order to make a joint Representation to His Majesty or the British Parliament of the present Circumstances of the Colonies, the priviledges they respectively claim, & of the destructive Consequences to both them & the Mother Country which must attend the further pursuit or continuance of such Measures as have been lately adopted by the Legislature of Great Britain. As I don't know but the Governors of the Provinces from which such Deputies are gone to N York may be censured for giving their respective Assemblies an Opportunity of sending them, I must observe to You that in some of the Colonies the Assemblies have a Right to meet on their own

[12] The Lord Proprietor and his officials on the Council in Maryland had for many years thwarted efforts of the " country party " to retain an agent in London for the purpose of representing colonial grievances to the crown. Such an agent would have taken an anti-proprietary stand on many measures had he been responsible to the Lower House of the Assembly. The proprietary officials, therefore, continually vetoed bills for raising money to support an agent (*Archives of Maryland*, LVIII). As a pretext the proprietary party had claimed that Lord Baltimore best represented the colony because the happiness and well being of his tenants would be to his own best interest. This fiction had already grown so thin that it was rarely stated. Sharpe's feeling that Lord Baltimore and Secretary Calvert had missed an excellent opportunity to demonstrate concern for the colony was sharpened by his apprehension of a vigorously renewed demand for an agent.

[13] Nine colonies responded to the call for the Stamp Act Congress which assembled in New York the second week in October. The three delegates from Maryland were William Murdock, Edward Tilghman, and Thomas Ringgold.

Adjournments or whenever they may think fit upon extraordinary Occasions, & as many of the principal Gentlemen of this province being met at our Provincial Court represented to me by a Petition that the Inhabitants unanimously desired & were extreme Anxious to have the Assembly called before the Day appointed for the Congress at New York I could not in prudence nor without giving Occasion for general Discontent & Disturbance in the province refuse to comply with their Request & therefore with the Council's Advice made a Virtue or Merit of Necessity by convening the Assembly immediately. Having now given You a brief Account of what has passed here since I last troubled You with a Letter & apprehending I have already wrote enough to tire Your patience I shall only add that I beg You will present my Love & Compliments to Your Lady the Doctor & Brother Philip

& that I remain with the most sincere Regard
Dear Sir Your obliged & Most affectionate Br.r

LETTERS OF A FREDERICK COUNTY FORTY-NINER[1]

The news of the discovery of gold in California in 1848 gave rise all over the United States to visions of great wealth that could easily be garnered by those adventurous enough to undertake the hazards of a voyage to California. No matter what route the traveller selected—whether around Cape Horn, overland, or via the Isthmus of Panama—the journey was by no means an easy one. Among the thousands who were encouraged by the prospect of wealth were the members of the Cronise family of Monravia, Frederick County, Maryland. In 1849 William H. V. Cronise, who had recently been involved in a business failure, set out for California by way of the Isthmus of Panama, the most popular of the three routes.[2]

In Panama, like all the other adventurers, he was detained because of the shortage of shipping on the Pacific side. William Cronise was more fortunate than most in that he was able to augment the money he had brought with him while waiting. Others, less fortunate, saw their funds dwindling while they waited in vain for passage. Many were compelled to turn back in despair. The two letters which he wrote his father, Jacob Cronise, while awaiting passage provide an unusually interesting account of the conditions at Panama. They also cast light upon his character, showing his deep devotion to his family, his fixed determination to pay off the debts still outstanding against him, and his ability to better his own conditions as the opportunity offered.

[1] These letters are at present in the possession of William Gray Harman, Plainfield, N. J. Mr. Harman, a member of the Society, has kindly consented to permit them to be published in the *Magazine* and has supplied the information in the footnotes from his family records.

[2] William H. V. Cronise was the son of Jacob Cronise founder of Monrovia, which was named after the capital of Liberia. The African Monrovia derived its name from James Monroe, President of the U. S., 1817-1825. The Cronise family owned extensive tracts of land in Frederick County. William Cronise was a partner in the mercantile business operating under the name of Cronise and Cecil. His older brother Jacob also seems to have been a partner.

Panama Monday April 9th 1849

Dear Father:

There is so little probability of any letters reaching you which are sent out on the regular mail that I had determined not to write by the " Maria Burt " which is to leave Chagres in a few days for New Orleans, however, the expense is not much, the only difficulty being that I may write important things in letters which you may not receive, and so may wait in vain for answers to my enquiries.

I still remain in as good health as I ever enjoyed. The climate is delicious, the weather not excessively warm, with a gentle breeze at all hours, the nights so cool that I have a counterpane on my bed, and am not troubled with insects of any kind. There is no sickness here at all at present.

The " California " has not yet arrived and there is no telling when I shall be able to get off tho' the Panama and Oregon will be both due in the course of 2 or 3 weeks, on one of which should the California not arrive I will certainly get off. There are nearly 3,000 persons now on the Isthmus and in consequence of the bad prospect of leaving here many have returned, I suppose 200—However since Saturday evening 4 small Schooners, 2 Brigs and 1 Ship have come in and there are 2 more Brigs which will be here in a day or two, which with others which will doubtless shortly arrive will carry off the greater portion of those now on the Isthmus.

As I wrote you in a former letter, my particular friend, Mr. Mills, has gone down to Callao to charter vessels to come here for passengers for San Francisco, they will return here in about 2 weeks, during their absence I act as their agent as you will perceive by the Panama Star, a copy of which I send you by mail in consideration of which and out of Friendship, &c. he sold me his ticket for 350$—I re-sold it yesterday for 600$, making 250$ upon it less 20$ I had to pay for the use of the money.

My expenses since I have been here have been quite heavy, and yet I have now *clear* 200$ and a good gold watch, with a prospect of making more. Mills & Davis offered me a free passage on their vessel to San Francisco and had I not to return as soon as the 1st November, I would stay and go up with them, and by thus selling my own ticket I might be able to send home nearly or quite 1,000$ which would assist very materially in compromising Clarks mortgage or would pay off 4 or 5,000$ of my old indebtedness and while I am on that subject I would say that I want Jacob to ascertain wether my application cannot be continued until the March court, and if that cannot be done, I wish *him* to write at once to all my creditors and ascertain wether a compromise cannot be affected by which I will be enabled to remain in California longer than I otherwise would should I be successful and it is desirable for me to do so.[3] The rainy season does not commence until the 1st November, and as I will be late in getting there I should like to remain as long as I could make money and return home about the 1st of Jany 1850. Of course all creditors would prefer taking 20 per cent with the prospect of more

[3] Jacob Stoll Cronise was his older brother.

should I be successful in California to compelling me to *return home* and obtaining a final discharge out of which they cannot keep me [torn] Jacob will of course know how to proceed in the matter. Perhaps it would be much the best for him to visit Balto. My application I believe can be withdrawn any time before it is *published* so do not publish it until it is necessary in July. From Clark & Kellogg I have a *personal* discharge and all my other debts together apart from Cronise & Cecil will not amount to over 12,000$ I think. Jacob can get a list of them from the Insolvent Court in Frederick. I will amply pay him if he will attend to this promptly and properly and if they will take 20 per cent and give me a full discharge and give us until the 1st Nov. or Decr. to pay the amount I would at once send on all the money I could raise by loan or otherwise and arrange the business—please dear Father get him to attend to this at once and write me both by return mail to San Francisco and also to this place for there is no telling when I may get off from here, but as long as I do remain here I shall try and make a little over my expenses at all events and considering that I came here with only enough money to pay a week's board, I feel pretty well satisfied that I have paid board and have 250$ besides. We have had great times here during the past two weeks with religious processions &c. of which I will send you a full description in the letters which I shall write per the Falcon which you will receive some two weeks after this.

Don't fail to get Jacob to attend to my business for me and let me know definitely as soon as you possibly can wether I must be home by the 1st Novr. or not. If I can do nothing in California I would of course return but I will find it a difficult matter to get in with a good company with permission to leave them as soon as 1 to middle of September.

I will write you by every opportunity, give my warmest love to all friends, send the enclosed letter to Mary Octavia, the postage is 30 cents each which I save by enclosing it.[4]

All well, Your Affec. Son,
Wm. H. V. Cronise.

Panama Nueve Granada South America
Lords Day 22st April 1849

Dear Father,

I have written you repeatedly both by regular mail and by Gentlemen returning to the states to be deposited in the P O either in New York or New Orleans. I have been in Panama Five weeks today and yet there are no signs of the Steamer California, and all that we have heard from her is via New Orleans, by which we learn that she has arrived at Acapulco 8 Dys out from here.

The "Panama" will be here within a week or 10 Dys at the farthest, and all those having tickets for the "California" of an *early date* will doubtless get off on her. Since I have been here I have bought a ticket dated Jany 4th which would have entitled me to a passage on the

[4] Mary Octavia was his wife.

" Oregon " had I got here 3 Dys sooner, but by which I shall assuredly get on the first Steamer that arrives in the Port.

We have had quite a number of sailing vessels in Port, three of which the " Two Friends " " Solidad " & " Josephina " have sailed taking about 300 persons in all, the coming week the " Mantic " & several small craft will sail carrying about 4 to 500 more and in about 10 Days the " Humbolt " carrying 400 & the " Capiapo " carrying about 150 will leave making in all some 13 to 1500 persons that are provided with passage apart from the persons in this City holding Steamer Tickets which amt to some 3 to 400 more. There are also quite a number of other vessels past due at the Port, which when they arrive will I think be amply sufficient to carry off all the emigrants that may be upon the Isthmus unless the Steamers from New York & New Orleans should bring out a large quantity of Passengers which I think very improbable. Steamer Tickets have declined from 600 for State Room & 450 for Steerage to 400 for State Rooms & 275 for Steerage passage. Many of those holding Steamer Tickets preferring to sell them at heavy premiums upon the original cost and buy Tickets in sailing vessels, for myself, however I think I should prefer returning to the States to going up this coast in a sailing vessel, as it may be of 3 months duration.

There has been very great dissatisfaction upon board the vessels which have sailed in consequence of their crowded condition and miserable accommodations. Yesterday a party of 19 who had engaged passage on one of the vessels, and the best one in Port returned to Town and sold their Tickets preferring to wait here and take the chances to going on in the " Josephina." They will crowd 80 to 100 persons on board a small schooner not capable of carrying over 30 persons comfortably and many of them without berths and consequently compelled to sleep on Deck, and those that have berths have to crawl in to them on their hands and feet they being only 3 to 4 feet in height. However persons are so anxious to get to California that they will venture upon any kind of craft and there will consequently be much misery and many deaths.

The British Steamer from Southampton via Jamiaca [*sic*] to Chagres and the British Steamer from Callao are both due tomorrow and as I shall not send this letter until Wednesday per Mr. Williams of New York, who returns on the Crescent City and will deposit this letter in the office in New York or New Orleans, I can perhaps give you some additional news.

I also expect my friends Mess. Mills & Davis to return upon the Steamer from Callao.

The weather since we have been here has been very fine and pleasant, and but little sickness, however within the last 24 Hours there have been two deaths one Coln. Carmichael of Johns Town New York and another whose name I have not learned, they it appears bought a small vessel to go down the Bay in order to intercept and charter vessels for a company of theirs. The wind and the tide kept them from shore and for 6 Dys they were without water and almost without food hence their sickness and death, and so almost with all cases of sickness upon the Isthmus, it is

the result of dissipation and exposure. A few deaths however render the Americans more careful. We have had several Concerts and Lectures one by Coln. Fuller of Ohio the N. O. Commissiner [*sic*] and from subscriptions and other sources several hundred Dolls. have been collected, by which we are enabled to keep a hospital for the sick and destitute, we have also some of the best Physicians of the Country who daily attend without making any charges at all for services although it occupies nearly the whole time.

We are now raising subscriptions for purchasing a Grave Yard for those who may die here, and intend having an Iron railing put round it. There was from 300 to 400 persons I should think in the burial procession last evening, and every respect and attention are and have been paid to all who have been so unfortunate as to be sick in this strange land away from friends and kindred.

We have had but one heavy rain since I have been here, although the season is approaching, yet the natives tell us that it is full as healthy as the season which is now near its close. The fruit season is coming on, that is the season in which it is most abundant, as at all times they have fruit of almost every variety. We never eat fruit except in the early part of the day at Breakfast or Dinner. I have become very fond of Bananas for Breakfast and Pine Apples for Dinner they are very lucious and harmless when eaten in moderation.

I notice among the Americans here many old men from 45 to 60 years of age, the Gent. who died yesterday, was about 50 years old and left a wife and 5 children.

I have been quite actively engaged ever since I have been here, in any operation that promised to pay me for my trouble. I have bought some things that I will require in California, and my expenses here at the Hotel are considerable amounting in all to not much less than 200$ which I have paid and have some 200$ on hand, so that I have averaged nearly 100$ per week profit since I have been here. I had some idea a few weeks since of selling my Steamer Ticket and going up on a sailing vessel, by this means I could raise some 7 to 1000$ which I might have sent home or have taken with me for operations in California, but I think now that I shall wait for the Steamer, and hope that that will not be long.

I have very pleasant company and associates and am getting along very well indeed and the time has passed very pleasantly indeed yet I should much prefer being upon my road to California. I have been so much engaged that I have made very slow progress in Spanish, but hope when I once get on the Pacific that I will employ all my leisure time in the acquirement of a language which should I keep in my present mind will doubtless be of great importance to me hereafter. I hope also that Albert & Titus and my dear friend Cecil will turn their attention to the Spanish language, with the assistance of " Ollendorf's " Grammer [*sic*], they will be able to acquire such a knowledge of the language that with a very little practice here they could be able to speak it fluently.[5] Tell them when I

[5] Albert and Titus were younger brothers.

return I expect to speak scarcely anything else to them than Spanish and that about next January I want to leave Monrovia for San Francisco with the whole of them in Company.

I very much regret that you did not write to me to this place, and hope that anticipating a delay you may write per the mail which will be in in a few days.

I will write on in separate letter about business matters and I do hope that Jacob will give immediate attention to the suggestions thus made, so that I need not be compelled to return as early as the 1st of Novr. unless I find that I can do nothing in California.

I wish also to give you some description of the Religious processions in this place, however Lent being past, there are not so many demonstrations of their Piety.

Your Son Wm. H. V. Cronise

William Cronise seems to have prospered in California, not in the gold fields, but as a merchant. Late in 1849 he returned to Frederick, to settle his affairs and to purchase goods for his enterprise. When he went back to California he was accompanied by his older brother Jacob and his younger brother Albert. Several other friends from Frederick County completed the party.[6] The second journey was marred by tragedy, for young Albert Cronise died on board the steamship *Panama* shortly after it sailed from Panama City.[7] After arriving in San Francisco, William again wrote his father concerning the careers of his relatives and of his friends.

San Francisco Thursday January 31st 1850—

My dear Parents, —

You have I presume ere this received Jacob's and my letters sent over Mexico, announcing the most melancholy intelligence of Alberts death— This was to us and will I know prove to you my dear Father and Mother and all our family and acquaintances prove a most severe dispensation of Providence—But he met death with such calm resignation, so entirely submissive to the will of his Heavenly Parent, that I feel assured that "our loss is his eternal gain" I wrote you at considerable length, and Jacob, Cecil and Jesse wrote at great length per this mail, giving you all the particulars attending his death &c that I will not being much pressed at for time—and I can write but briefly at present. We brought his remains up with us intending to send them home by this steamer, but after we had them conveyed for a few days to one of our Houses that in conse-

[6] It has not been possible fully to identify these, but "Cecil" was probably his former partner.

[7] William informed his parents of the death of Albert in a moving letter written Jan. 7, 1850, on board the *Panama* off Acapulco. Letter in possession of Mr. Harman.

quence of the very inferior quality of the Spirits we found that decomposition had commenced and that we would be compelled to inter his remains here until decomposition was completed, when according to his request his remains shall be conveyed home and placed in the Pleasant Hill Burying ground.[8] I much regret that we could not send them home at once, but I suppose that all is for the best. You may rest assured my dear Parents that I will not leave California until I bring his remains with me and that you shall have the satisfaction of seeing them resting with the rest of your family, and where I wish my remains to be placed at my death. We were compelled consequently to have his remains buried on Monday just as the sun was setting in the Grave Yard here. Mr. Wheeler of the Baptist Church read the services at the grave & and his remarks and prayer was most affecting indeed—

We arrived here on Monday the 20th instant, in the midst of a tremendous rain, which continued all day and somewhat dampened the spirits of some of the Emigrants—Mr. Collins was soon on board and was very much pleased at my return—I was somewhat fearful however that when he learned how much money I had expended when home and how little had been devoted to the purchase of Goods &c. that he would be dissatisfied—I soon had an interview with him—he seemed perfectly satisfied, expressed much sympathy, and said that he anticipated that I would have much difficulty, and almost feared that I would be unable to get back. Altogether I found things full as well as I expected—in addition to the money I have expended and some 5 or 600 expenses since I left the Isthmus and the expenses growing out of Albert's decease, I would probably have some 10,000 with a prospect now of making money very rapidly indeed—We made the acquaintance of Mr. Bennett of Arkansas coming up here—a gentleman of means &c. and I have rented a fine store room and tomorrow Jacob & him go into business—we to share equally in the profits, I to give the business all the attention I can so as not to interfere with our business. I put in about 1000 to 1500$.

Cecil & Walker are also going it strong—selling and pedling goods on the street &c. I have 1/6 of their profits and Cecil 3/6—they have averaged nearly 10$ a day, and will I doubt not do very well indeed—Jacob also. I wish Titus was out here[9]—Suppose you send him, or Shipley or Louis out in the Spring—or would not Harman come out and bring Mary Octavia with him—Were I sure that she could get any one to come out with her I would send home the money at once to pay the expenses, but if Harman wants to come and will bring her and Mrs. Abbott out with him I will cash the Bill the day of his arrival here and give him 250$ for his trouble[10]— I think that we will all remain out

[8] Albert's remains were eventually placed in the Pleasant Hill Graveyard at Monrovia, where the marker still stands.

[9] Titus Fey Cronise later went to California. He was the author of one of the early descriptions of the state, *The Natural Wealth of California.* . . . (San Francisco, 1868.)

[10] Shipley and Harman were brothers-in-law of William Cronise; Louis F. and Edward Edington Detrick were his nephews.

here about one year, by which time I think that we can all return with snug little fortunes—How would you like to come yourself next summer and remain a few weeks—I would pay your expenses, and I have no doubt but the trip would be a pleasant one—

Your letter of the 9th Decr. we rec'd. I was glad to hear that you had received assurances from Dill that he would pay you—That amt. will last you I suppose until next steamer when I shall make you a remittance—perhaps also some for David [11]—The proceeds of Albert's instruments and clothing I will of course send you [12]—will try and sell them so as to send them per next steamer—They will sell for as much as they cost in the States I hope, although they are a great Drug—

I have so much to attend to, am so much pressed for time, and Jacob and the rest writing lengthy letters to you at my request, that I will bring this letter to a close, expecting to write more at length per the next steamer which will be in Two weeks.

With Love to all friends and Relatives, I remain

Your Affec Son

Wm. H. V. Cronise

[11] Possibly David Reinhart, miller at Monrovia and a brother-in-law.
[12] The deceased brother Albert had been a medical student.

REVIEWS OF RECENT BOOKS

Gentleman's Progress. The Itinerarium of Dr. Alexander Hamilton, 1744. Edited by CARL BRIDENBAUGH. (Published for the Institute of Early American History and Culture, Williamsburg, Va.) Chapel Hill, N. C.: Univ. of North Carolina Press, 1948. xxxii, 267 pp. $4.00.

Early in 1744 a brilliant and successful young physician of Annapolis, Alexander Hamilton, found himself faced with the double menace of ill health and boredom. An "incessant cough" refused to yield to treatment; the turmoil and mud-slinging of local politics, in which he had been led to take part, had got on his nerves; and hard ahead lay the Maryland summer, of which his frail constitution had dire experience. Change of scene, change of climate was the obvious prescription. It is a measure of the man that instead of boarding a ship for Europe and the amenities of the Old World, he decided on a long trip on horseback through the Northern colonies in order to know better their people, their politics, and their land. On May 30th he set forth from Annapolis with a Negro servant on a journey that was to take him 1624 miles through Maryland, Delaware, Pennsylvania, New York, New Jersey, Connecticut, Rhode Island, Massachusetts and New Hampshire. The diary kept along the way (called by Hamilton "Itinerarium," and now relabelled, with incomplete felicity, "Gentleman's Progress") is probably the wisest and wittiest existing account of American colonial life in the mid-eighteenth century.

It is hard to temper one's enthusiasm over this admirable book, recently liberated from the bleak exclusiveness of "collectors' items" by the Williamsburg Institute of American History and Culture, under the able editorship of Dr. Carl Bridenbaugh.[1] Hamilton was a highly educated man, born into the intellectual aristocracy of Edinburgh, and an honor graduate of its famous University and Medical School. The discipline of this education rested easily on a strong, free-thinking mind, which was infinitely curious regarding ideas, people, and the world of nature. His attitude toward life had a singularly Gallic cast, and casual references prove his intimate familiarity with great French writers, such as Montaigne and Rabelais. Add to this a keen sense of humor, a lively interest in the abnormal, and a shrewd sense of values, and you have a splendid equipment for a man setting forth on a voyage of appraisal. As Dr. Bridenbaugh says: "Hamilton was foreign enough to be interested in all aspects of the American colonies and yet sufficiently familiar with their civilization

[1] The "Itinerarium" was first brought out in 1907 by the late W. H. Bixby of St. Louis, in a sumptuous edition of 487 copies "issued only for private distribution."

to look beyond the spectacular and the temporary and seize upon its fundamental and enduring traits."

Next to its wisdom, perhaps the most striking quality of the Itinerarium is its fresh, undated quality. The secret of this lies partly in the Doctor's youthful gayety, partly in the sharp realism and uninhibited language of the narrative, to which our present-day literature has effectively broken us in. But it is chiefly due, one feels, to Hamilton's deep interest in people in the humbler walks of life. In Annapolis, of course, he moved *par inter pares* among the provincial aristocracy, and when he set out on his journey he was amply supplied with letters that would open to him the doors of the well-placed and consequential all along his way. In many cases, however, when he could have availed himself of the comfortable hospitality of these people he chose the salty promiscuity of the taverns and ordinaries, nourishing his keen interest in his fellow-man (and his sense of the ridiculous) on the strange folk he came across there. The quality of Hamilton's mind reminds one of Sir Thomas More, of whom Erasmus wrote: "If he has to do with the learned and intelligent, he is delighted with their cleverness; if with stupid and ignorant people, he finds amusement in their folly."

The end of September saw Hamilton back in Maryland. Dining at Treadway's tavern, he found his old friend the landlord "very much indisposed with fevers. He told me it had been a very unhealthy time and a hot summer. This I should have known by only observing the washed countenances of the people standing at their doors and looking out at their windows, for they looked like so many staring ghosts. In short I was sensible I had got into Maryland, for every house was an infirmary, according to ancient custom."

And what did the Doctor bring back with him? Again let him speak: "I compassed my design in obtaining a better state of health, which was the purpose of my journey. I found but little difference in the manners and character of the people in the different provinces I passed thro', but as to constitutions and complexions, air and government, I found some variety. Their forms of government in the northern provinces I look upon to be much better and happier than ours, which is a poor, sickly, convulsed state . . . . As to politeness and humanity, they are much alike except in the great towns where the inhabitants are more civilized, especially att Boston."

A word should be said about the romantic history of the manuscript of the Itinerarium, now come to rest in the Huntington Library at San Marino. An inscription shows it to have been presented to that mysterious and pliant Italian gentleman, Onorio Razzolini, whose name crops up to often in the chronicles of mid-eighteenth century Annapolis. When Razzolini returned to his native town of Asolo he took with him the manuscript, which gathered dust for a century in the library of his descendants until a persuasive bookseller came along. It then gravitated naturally to Mr. Sabin of London, who in turn sold it to Mr. Bixby. As is is now presented to us, it is supplemented by an excellent preface and

explanatory notes by Dr. Bridenbaugh, and garnished with amusing illustrations from the hand of Dr. Hamilton, whose minutes of the Tuesday Club of Annapolis are among the treasures of the Maryland Historical Society.

J. G. D. Paul.

Meeting House and Counting House: The Quaker Merchants of Colonial Philadelphia, 1682-1773. By Frederick B. Tolles. Chapel Hill: University of North Carolina Press for The Institute of Early American History and Culture at Williamsburg, Virginia, 1948. xiv, 292 pp. $5.00.

The terminal date of this excellent work might better have been placed at 1756: when the Quaker grandees retired from public life rather than support an Indian war.

It is a study of the interaction of religion and life among those who in 1682 had undertaken the adventure of living in the world, yet remaining not of it. The events of 1756 show us both the failure of this experiment and the final decision of the Quakers themselves. Unable to make the best of two worlds, they now forsook the realm of mundane affairs for that of the spirit or, as George Fox would have put it, abandoned their outer plantation that they might be free to cultivate the inner one. Yet their "holy experiment" was not in vain, for in its course the Quakers had achieved a notably rich and humane way of life and had contributed abundantly to the commercial and cultural progress of our greatest colonial city.

Mr. Tolles has brought to his work an exhaustive knowledge of the relevant sources, a wide acquaintance with the religious literature of the period, and a most urbane and fluent style.

He has wisely elected not to treat of those matters for which reasonably adequate studies exist: the Quaker role in local politics and Indian affairs, in public education, and in the agitation against slavery. He does give us what may be, within its own limits, a definitive account of their geographical and social provenance, of their idealogical background, of their business principles and practice, of their social life among themselves, and of their singularly happy and fruitful contributions to learning and philanthropy. In a twenty-four page Bibliographical Essay he adds a thorough but readable account of the chief sources both manuscript and printed.

The book itself has a detailed index and numerous illustrations and is most handsomely executed.

Donnell M. Owings.

Rebel Raider: Raphael Semmes' Cruise in the C. S. S. Sumter. Edited by HARPUR ALLEN GOSNELL. Chapel Hill: University of North Carolina Press, 1948. 218 pp. $3.75.

The exploits of Raphael Semmes, Maryland-born officer of the Confederate Navy, are well known in connection with the feats of the famous raider *Alabama*; here is the fascinating account of the cruise in his first Southern command, the C. S. S. *Sumter*. This account has been condensed from his *Memoirs Afloat*. By removing Semmes' long excursions into international law, the narrative has been given a fresh and lively pace.

As the first real man-of-war to fly the Confederate States flag, the *Sumter* was to undertake the monumental task of driving Northern commerce from the seas—a staggering task for a small ex-packet steamer capable of carrying only an eight-day fuel supply and barely accommodating its crew of over one hundred men. And, amazingly enough, its commander was to do just that!

The capture and burning of the *Sumter's* first prize, the golden Rocket; the nocturnal escape from the U. S. S. *Iroquois* off the French island of Martinique, the capture of eighteen Federal ships and overhauling of forty-seven neutrals, and final blockading by vessels of the Northern Navy at Gibraltar—all attest that this exciting tale of sea adventure is one that should not be forgotten, covering as it does, an important part of Confederate Naval History.

E. M. STRAUSS, JR.

The Autobiography of Benjamin Rush. His "Travels Through Life" Together with His Commonplace Book for 1789-1813. Edited by GEORGE W. CORNER. Princeton, N. J.: Princeton Univ. Press, 1948. 399 pp. $6.00.

George W. Corner has edited the first complete text of Benjamin Rush's autobiography, *Travels Through Life*, since Louis Alexander Biddle, Rush's great-grandson, published an expurgated text in a limited edition in 1905. Of the original ten notebooks in which Rush compiled his memoirs, nine have survived and are fully published in this volume, accompanied by Mr. Corner's detailed and scholarly notes. Three commonplace books supplement the autobiography.

Taken together these varied examples of Rush's literary activity provide an excellent insight into Rush's manifold character. Although best remembered today as the outstanding American physician of the late eighteenth century, Rush's medical activities comprise but a minor portion of the interest in this volume. Rush played an active role in Pennsylvania politics throughout his lifetime, and his comments upon the political scene are shrewd and discerning. Rush was endowed with an unusually inquisitive mind, one which was on the whole open, consequently the material found in his notebooks and commonplace books provides an

intimate and revealing commentary upon the social and intellectual life of his day. Students in all fields of American history will be grateful to the American Philosophical Society for making possible the publication of this volume, and to Mr. Corner for his excellent editorial work.

HERBERT ROSENTHAL.

Explorations, Descriptions, and Attempted Settlements of Carolina, 1584-1590. Edited by DAVID LEROY CORBITT, for the State Department of Archives and History, Raleigh, N. C. 1948. 136 pages.

This booklet is a convenient and well printed compilation of documents relating to Sir Walter Raleigh's effort to colonize in North Carolina. As the former compilation of these sources by Tarbox in 1884 is now out of print this work supplies a need. The editor takes most of his material from Hakluyt and adds some documents from Spanish sources. It would seem that a work of this sort should cover its ground completely. The city charters issued by Raleigh, and printed long ago in Hazard's *Collections*, are missing. So also is the account, in Hakluyt's first edition, of the abortive relief expedition of 1588, which failed the little colony in its hour of greatest need. Both of these would help in understanding of Raleigh's efforts. The failure of the editor to insert either a table of contents or an index is to be deplored.

LOUIS DOW SCISCO.

Lincoln's Secretary. A Biography of John G. Nicolay. By HELEN NICOLAY. New York: Longmans, Green Co., 1949. x, 363 pp. $5.00.

Although this book is primarily the biography of John G. Nicolay, it is dominated almost entirely by the personality of Abraham Lincoln. Beginning in 1856, Nicolay was to culminate a lifetime of service by writing the ten-volume biography some thirty odd years later. To Nicolay, Lincoln measured up to the standard of greatness. This fact is very clearly brought out by Miss Nicolay who uses her father's hitherto unpublished journals and letters to his fiancée Therena Bates. Consequently, the book is another Lincoln book, but the Civil War years are given a more intimate and personal touch.

The greater part of the book is devoted to the war years. Nicolay describes to his fiancée, for instance, the tension in Washington during the period between the inauguration and the firing on Fort Sumter. In addition, he tells her of the political, social, and personal life in the nation's Capital during those years.

Nearly everyone will find this book refreshing and fascinating to read. Miss Nicolay brings out many sidelights which will be of interest to Lincoln scholars. Of particular significance is her account of the writing of *Abraham Lincoln: The War Years* by her father and John Hay. She

has presented her material with all possible fairness both to her father and to Lincoln. As such, her biography of John G. Nicolay is of great value to students of Civil War history and biography.

FRANK F. WHITE, JR.

Roots in Virginia: An Account of Captain Thomas Hale, Virginia Frontiersman, his Descendants and Related Families, by NATHANIEL CLAIBORNE HALE. Philadelphia, 1948, xviii, 227 pp. $8.00.

"Roots in Virginia" is aptly chosen by the author as a title for this book. Mr. Hale is a native of the "Old Dominion" and, although a resident of Pennsylvania, it is evident that his love of the old home place has not abated in the slightest degree with the march of time. The book is made especially interesting by the picture which it presents of life on the southwest Virginia frontier, where Captain Thomas Hale had settled shortly before the American Revolution.

The genealogical portion of this interesting volume embraces such families as Hale, Claiborne, Cabell, Nelson, Early, West, Croshaw, Tobin, Jordan, Lacy, Saunders, and Latrobe, the last name being of particular interest to Baltimoreans. The allied families of Taliaferro, Crockett, Goode, Dabney, *et al.* are also mentioned among the supplemental ancestral lines.

Mr. Hale's work is illustrated with reproductions of family portraits, pen drawings of typical southern homes, and a map of the southwest Virginia frontier serves as the frontispiece. There is an adequate index; and a bibliography and list of authorities are appended. An excellent reference book! Copies may be obtained from Suite 442, 123 South Broad Street, Philadelphia 9, Pa.

FRANCIS B. CULVER.

The American Presidency in Action: 1789, A Study in Constitutional History. By JAMES HART. New York: Macmillan Co., 1948. xv, 256 pp. $4.00.

In this volume Professor Hart presents an analysis of the events in the formative year of this American presidency. During 1789 precedents were established, extra-constitutional devices adopted and an all-important impress was given the presidential office as a result of the character and views of president Washington. Of course, the functions and powers of the president were not all established in this one year and many practices of Washington were not repeated by his successors. This latter aspect of the presidency is in many ways the most interesting part of the story.

Although this study provides a wealth of material useful as reference it will appeal but slightly to the general reader. Its chief defect from the general reader's point of view is the use of the encyclopedic method of organization with each chapter divided into subsections, each preceded by

bold capitals and then subdivided with the use of smaller capitals. This method deprives the book of both fluidity and continuity. With a subject as interesting as this it is regretted that Professor Hart did not employ a freer method of treating the results of his meticulous scholarship.

H. A.

Studies in the History of Maryland. By Benjamin H. Hartogensis. Arranged and edited by Dr. Simon Cohen, D. D. [Baltimore: privately printed. 109 pp.]

It is not necessary to accept the point of view of the late B. H. Hartogensis in order to realize that it is a point of view, held by at least one intelligent, educated man, therefore as much entitled to a hearing as any other. In this slender volume Dr. Cohen has collected from the writings of his friend those papers which he thinks represent Mr. Hartogensis' beliefs most clearly, thus entering them upon the permanent record.

Mr. Hartogensis argued that in the matter of religious toleration Marylanders have been claiming a good deal more than is actually our due. He points out that the Act of 1649, for instance, restricts its immunities to one sect, namely, the Christian, and argues, logically enough, that tolerance restricted to one faith is no genuine expression of religious freedom. Therefore he regards our claims to credit as pretty fraudulent.

His error is in ignoring the factor of relativity. It is undeniably true that the Act of Toleration did not establish religious toleration fully, freely and completely. It is also true that in 1692 (as soon as William and Mary were firmly established on the throne) the Church of England was made the official church throughout the realm, and in Maryland dissenters, including Catholics, Quakers, Baptists and Jews, fell under disabilities, many of which lasted until 1776, and some of which have never been completely erased.

But that isn't the point. The point is that when people voluntarily accept an instrument binding them to tolerate what they had not been inclined to tolerate before, the instrument, however limited, is an Act of Toleration. Christians had to learn to tolerate each other before they could be expected to tolerate other faiths. The Act of 1649 may have been a step, rather than a seven-league stride, but it was a step, and the first one.

So, although it should not be accepted completely, Mr. Hartogensis' book has a definite and considerable value as an antidote against too much complacency.

Gerald W. Johnson

Calendar of Maryland State Papers. No. 3. The Brown Books. By ROGER THOMAS. Annapolis: Publication of the Hall of Records Commission, No. 6, 1948. vii, 180 pp.

This calendar covers the 811 documents in the "Brown Books" papers in the Maryland Hall of Records. It makes available in excellent form a collection of military records chiefly for the period of the American Revolution and the Quasi-War with France. Many of the letters were intercepted and reveal the loyalist point of view and the difficulties of their position. The calendar entries are extremely complete and quote many of the significant passages from the documents. Some judicious use of abbreviations, such as state names, military titles and the like, would have shortened the text without loss of clarity.

HELEN DUPREY BULLOCK

Manuscript Division, Library of Congress

NOTES AND QUERIES

MAJOR HALL'S SCHOOL, BALTIMORE

Recent articles on old Baltimore schools called to mind the school my brother George and I attended in the late 1880's, and I wanted to write just a few lines about it before it fades from my memory.

It was Major Wilbur Hall's School, located on the North side of Hoffman Street between Linden Avenue and Eutaw Street (No. 310); the building being now occupied by a colored, religious organization.

Major Hall was a South Carolina gentleman of the old school. He had been an officer in the Confederate Army and when the surrender came, in his despair at the downfall of the Confederacy he, like some other Confederate officers, left the country. He went to Egypt and became an officer in the Khedive's Army, which was then controlled by the British. Later on, he returned to America and opened his school on Hoffman Street. Despite his military career he was a kindly, patient man possessing a sterling character which made itself felt even on us thoughtless boys.

On the way to school, up Preston Street, I recall a planing mill at the southeast corner of Preston and Cathedral Streets, and just opposite where the Bryn Mawr School building stands was a railroad freight yard; switching engines often crossing the street. Farther west where the Fifth Regiment Armory stands was "Bolton," the imposing mansion of W. W. Spence, standing high above the street in a beautiful setting of lawn, trees and shrubbery. Irvin's Confectionery was at the southeast corner of Linden Avenue and Preston Street, and the boys amused themselves by poking sticks at a pugnacious dog in the side yard. Riddlemoser's stables were

nearby, and at the northwest corner of Hoffman and Eutaw Streets was Doebereiner's Confectionery where at recess time we got hot buns.

Our leading student was Laurence Hall Fowler, the well known architect, who helped those of us who were dull with our tasks before school began. How anxiously therefore most of us awaited the arrival of Laurence and David McIntosh who came in from Towson on the old narrow gauge railroad, the predecessor of the present Maryland and Pennsylvania Railroad. After the boys assembled in the school room (the second floor front in that old residence), Major Hall would appear, and all of us would stand while he said a prayer.

Albert Cabell Ritchie, four times Governor of Maryland, became our most famous pupil. David McIntosh, too, was President of the Maryland Senate and prominently mentioned for the Governorship. Walter Abell was the best dressed boy and had the best manners. Of the Goldsborough boys, Billy is dead, Bob left Baltimore to go with the Pennsylvania Railroad, and Frank ("Puck") is a doctor in Buffalo, New York. Walter Wickes ("Zippy") also practiced medicine. Julian Carter was the son of that great lawyer and leader of the Maryland Bar, Bernard Carter—a big man mentally and physically. Who are the leaders of our Bar today?

Our two best runners were Charles Ridgely Howard and Pembroke Bonsal; they excelled in "Prisoner's Base," one of our games. Both have passed on, as has William D. Poultney; leaving a son "Jimmy" Poultney who is both a scholar and a gentleman. Augustine Hopper ("Ducky") is now in the brokerage business in New York. Then there was "Louie" McKim, still alert and snappy. He afterwards played on the University of Virginia baseball team and was a well known rider at the Elkridge Fox Hunting Club which is now, alas, a golf club. What a fine figure he cut in his "pink" coat, sitting erect on his hunting horse.

Recently I was fortunate in obtaining the report book of the late L. Wardlaw Miles whose heroism in World War I, for which he was awarded the Congressional Medal of Honor, reflects glory on the old school. He attended the school in 1886-1887, just ahead of my brother and me, and his report book is the only one I know of in existence. He was then thirteen years of age. His courses were Arithmetic, Algebra, History, Latin, and Orthography, and many notes in the Major's handwriting tell of his standing and manliness and give suggestions for home study. Particularly interesting are the lectures described in the report book; the purpose of most of them being to excite admiration for good character and manly actions. Thus, the incorruptibility of Scipio Africanus the Younger is compared with the conduct of the Duke of Marlborough. Camillus is lauded for his contempt of treachery. The characters of Philip of Macedon and others are discussed, and it was related of Philip that he punished an ungrateful officer for ingratitude to parents. In addition, there were lectures on the Pyramids and the Sphinx and the statue of Memnon with the ancients' views of Memnon's music. The Constitution of the United States was examined in some detail, and there were also lectures on the Heavenly Bodies.

And so to conclude, I have brought together in this short sketch what

I remember of Major Hall's School in order that the character of the school, and indeed its very existence, shall not be completely forgotten in this city where it was founded and where at last it came to its end.

It seems to me that at that old school we got as good or better schooling than falls to the lot of boys in the private or public schools of today. In addition, we got the association with a high-minded Southern gentleman whose thought was of honor, courage, and duty; and experience in a long life leads me to the view that the Gods of The Copy Book Headings have much to recommend them, especially for the times in which we are living.

WALTER H. BUCK.

King-Gantt Family and Early Washington—For some years I have been working on a book of the early builders of Washington, D. C., especially the lesser known but important men as Nicholas and Robert King, surveyors and cartographers in Washington from 1795 to 1831.

I would like to contact descendants of Nicholas King, who flourished in Washington from 1795 to 1812. He married Margaretta Gantt, daughter of John M. Gantt, original proprietor who sold lands to Thomas Peter and Samuel Davidson. Nichodas King's children were Samuel Davidson, Mary Gantt, Susan and James D(avidson). His grandchildren were William W. King, Zebulon M. P. King and Mary Albertina King Kuehling. Please address any information to

Mrs. M. Dwight Harbaugh,
230 Aurora St., Hudson, Ohio

Carrico—Basil Carrico, son of Peter and Margaret (Gates) Carrico, born at Bryantown Hundred, Charles County, Md., circa 1745, died circa 1810, probably in Nelson or Spencer County, Kentucky. Information is desired as to whom he married, where and when, also names of issue.

Homer E. Carrico,
6703 Country Club Circle, Dallas 14, Texas

Frazier—My great grandfather, William Frazier, was born March 14, 1773, in Baltimore County, Md., and I would like to know the names of either one or both of his parents. We surmise the Christian name of his father was John, William or Daniel. Whom or where the great grandfather married we do not know; however, we do know that he was married and living in Bedford County, Pa., in 1801. We think his wife's Christian name was Urith, or perhaps he married Mary McClain. His wife apparently died about 1805.

Clyde Frazier,
P. O. Box 558, Coffeyville, Kansas

Coppedge (*Coppage*) *Family*—A general meeting of the Coppedge Family Association will be held at the Phoenix Hotel, Lexington, Ky., on August 20, 1949, according to a notice issued by A. Max Coppage, President, Box 166, Hale, Mo.

CONTRIBUTORS

DR. TILGHMAN, formerly on the faculty of St. John's College, is a great-great grandson of Colonel Tench Tilghman. He is a member of the Department of English and Foreign Languages at Virginia Polytechnic Institute. ☆ Mr. BERNARD is a candidate for the doctorate at the University of North Carolina. His chief interest is the history of France during the seventeenth century. ☆ A native Marylander, Mr. BREWINGTON is the author of *Chesapeake Bay Log Canoes* (1937) and *Chesapeake Bay Bugeyes* (1941) and editor of *American Neptune*. ☆ A lawyer by profession and a bibliophile by avocation, Mr. MACGARVEY has taken a special interest in the history of economic thought. He is a graduate of London University and a member of the Royal Economic Society. ☆ Dr. LAND, at present Assistant Professor of History at Carnegie Institute of Technology, has written a doctoral dissertation on the life of Daniel Dulany the Elder.

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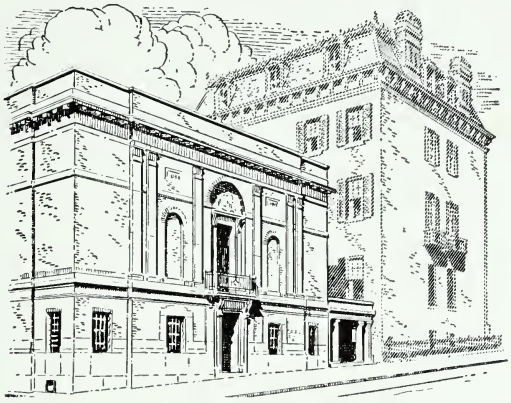

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Druid Hill, Country Seat of the Rogers Family, Now Druid Hill Park
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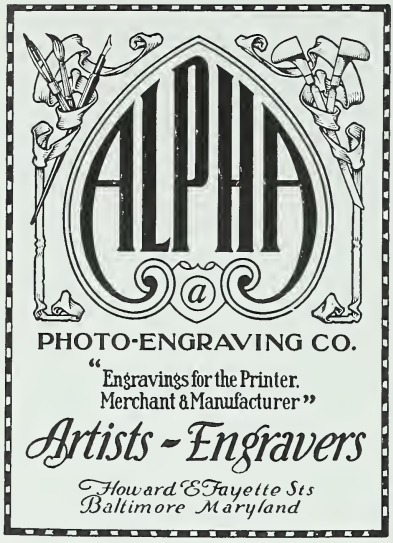

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James W. Foster, Editor
Harry Ammon, Associate Editor

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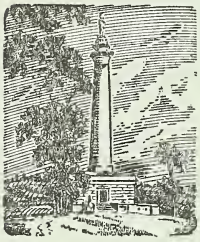

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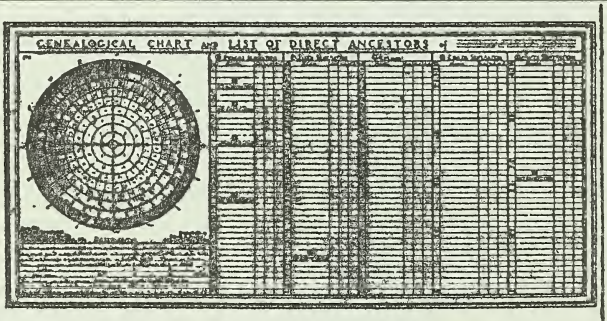

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MARYLAND HISTORICAL MAGAZINE

A Quarterly

Volume XLIV SEPTEMBER, 1949 Number 3

JOHN NELSON'S MISSION TO THE KINGDOM OF THE TWO SICILIES 1831-1832

By Howard R. Marraro

THE United States Government was obliged to make three separate attempts, extending over a period of about twenty years, to obtain payment from the Kingdom of the Two Sicilies for losses sustained by American merchantmen during the Napoleonic wars in Naples.[1] The first of these attempts, made in 1816, by William Pinkney,[2] of Maryland, ended in failure because the restored legitimate government of Ferdinand I of the Two Sicilies was unwilling to assume responsibility for the wrongs committed by Murat,[3] who was king during the latter part of the

[1] A good account of the controversy may be found in the Rev. Christopher Perrotta, *The claims of the United States against the Kingdom of Naples.* (Washington, D. C., Belvedere Press, 1926). This article on Nelson's mission is based on unpublished documents in the National Archives, Washington, D. C.

[2] See Howard R. Marraro, "William Pinkney's Mission to the Kingdom of the Two Sicilies, 1816." *Maryland Historical Magazine,* XLIII (Dec. 1948), 235-265.

[3] Joachim Murat (1767-1815). Murat distinguished himself as a cavalry leader

Napoleonic régime when the seizures occurred, and for what happened during the absence of the lawful King and the Government of Naples. The second attempt, made in 1825-1826, with the mission of John Appleton,[4] of Massachusetts, also ended in failure essentially for the same reason.[5] The third and final effort was crowned with success in 1831-1832 with the appointment of John Nelson, of Maryland.

So little is known of John Nelson that it may be useful to record here the few known facts of his life. He was born in Fredericktown, Md., June 1, 1791, the son of Roger Nelson who, as a brigadier-general in the Revolutionary army, was left for dead on the field of Camden, but recovered. Afterwards, Roger Nelson became a member of Congress and a district judge of Maryland. John Nelson was graduated at the College of William and Mary in 1811, and two years later was admitted to the bar. He settled to practice law in Fredericktown where he also held several local offices. He was elected as a Democrat to the Seventeenth Congress, 1821-1823; he was, however, not a candidate for reelection in 1822 to the Eighteenth Congress. He was appointed United States Minister to Naples by President Jackson, of whom John Nelson was an enthusiastic supporter, serving from October 24, 1831 to October 15, 1832. More than a decade later he was appointed attorney-general in President Tyler's cabinet, to succeed Hugh S. Legaré, and served from 1843 to 1845. He died in Baltimore, Md., on January 8, 1860, and was interred in Greenmount Cemetery.[6]

in the French army during the Napoleonic wars. In 1800 he married Caroline, the youngest sister of Napoleon I. By the decree of Napoleon of July 15, 1808, he was appointed on Aug. 1, to the throne of Naples, which he held until 1815. He called himself Joachim Napoleon, King of the Two Sicilies, but his authority was limited to the Kingdom of Naples, and never extended to Sicily proper. After the fall of Napoleon, Murat lost his throne, but returning with a hostile expedition, he was captured, courtmartialed, and shot at Pizzo, Calabria, on Oct. 13, 1815.

[4] See Howard R. Marraro, "John James Appleton's Mission to Naples (1825-26)", *Journal of Central European Affairs*, to be published in October 1949. See also Henry Merritt Wriston, *Executive Agents in American Foreign Relations,* The Albert Shaw Lectures on Diplomatic History, 1923 (Johns Hopkins Press, 1929), 631-633.

[5] Appleton came to the conclusion that his failure was due to the fact that the Neapolitan Government discovered that his powers rendered fear of reprisals groundless and that the claims of the United States against France were still unacknowledged.

[6] United States Congress, *Biographical Directory of the American Congress 1774-1927* (United States Gov't Printing Office, 1928), p. 1351; Lamb's *Biographical Dictionary of the United States* (Federal Book Co. of Boston, Boston, Mass., 1903), V, 648-649.

Nelson's mission to Naples was important to the country as well as to many of its citizens, whose interest was deeply concerned in the negotiation with which he was charged. Briefly, these were the facts involved in the controversy between the two governments.

In the year 1809, while Murat was King of Naples, and neutrals were suffering under the operation of the English orders in council on the one hand, and the Berlin and Milan decrees on the other, which last were also enforced in the Kingdom of Naples, American commerce was almost banished from the ocean, and few American merchants dared to venture their ships in a trade so hazardous, and subject to so many vexations as that with any country in Europe, which was under the influence of France. Naples was one of these countries, being governed by a member of Napoleon's family. The Berlin and Milan decrees were strictly enforced in all the ports of the Kingdom of Naples. The consequence was that, without any shipping belonging to the country, and all neutral ships having been banished, the surplus produce of the Kingdom could not be exported, and fell in value, and foreign articles of the first necessity, rose to exorbitant prices. It appears that, on March 31, 1809, a modification of the Berlin and Milan decrees was adopted by the Government of Naples, which admitted certain enumerated articles imported in neutral vessels; but finding the Americans reluctant to place themselves in their power under the general promise of protection implied by these decrees, a special invitation was made to the merchants of the United States, by a decree dated June 30, 1809, and officially communicated to Frederick Degan,[7] the United States Consul in Naples, by which the Americans, by name, were promised the free disposal of their cargoes, if accompanied by the usual papers, and provided, however, they had not been in a port of Great Britain, or had not been visited by her cruisers.

As soon as this decree became known, several enterprising merchants of the United States, putting faith in the promises it held out to them, fitted out vessels with rich cargoes for Naples. The

[7] The Duke of Gallo, Secretary for Foreign Affairs, in his letter to Degan stated that it was "the intention of His Majesty . . . freely to admit American vessels coming directly into his ports, provided they had regular papers and had not, by paying duty to Great Britain, or by submitting to be searched by English cruisers, brought themselves within the decrees of December 21, 1806 and January 9, 1808." Degan ceased to be Consul the same year. Alexander Hammett, of Maryland, was appointed to succeed him. Hammett held the post at Naples from June 1809 to 1860.

first two or three that arrived were fairly dealt with:—their cargoes were sold, their returns were taken in, and they were permitted to depart without molestation. But when, tempted by their show of good faith, an additional number had been drawn within their grasp, and the prey became worth taking, the whole were, by order of King Murat, seized, confiscated, and sold without the slightest pretext. The protests of the shipmasters were disregarded; the complaints of the American consul treated for many months with contemptuous silence; and when, at long last, an answer was given, the robbery was said to be justified by an Act of Congress which forbade commercial intercourse between the United States and both France and England—an act that did not concern Naples in the remotest degree and which, having been passed four months before the decree inviting the American vessels into the ports of Naples, could never have justified their seizure after their arrival in Naples. The number of American vessels and cargoes thus faithlessly seized and sold was forty-nine. Later schedules, on the basis of fuller data, altered the number. Furthermore, the masters of some of the vessels were even forced to draw bills on their owners, to pay for the port charges. Several hundred crewmen were left to starve, or were supported by the American Consul, and although promised a conveyance to their country by the Neapolitan Government, the Consul was obliged to charter a vessel, at the expense of eight or ten thousand dollars, to carry them home. In the year 1812, four other vessels with their cargoes were also seized and sold under similar frivolous pretexts, by the same Neapolitan Government. This part of the transaction was remarkable from the fact that, at the time of this seizure, several other vessels, under the American flag, were also under prosecution, but the Consul of the United States, being convinced that they were English property, and sailing under forged papers, frankly stated that fact to the Neapolitan courts. This open and proper conduct produced the condemnation of those vessels which had fraudulently assumed the use of the United States flag, but did not save those that were bona fide American property. Therefore, their value was added by the American Government to the amount of the indemnity claimed first by Mr. Pinkney, then by Mr. Appleton, and finally by Mr. Nelson.

Under these circumstances, the United States Government re-

solved upon Mr. Nelson's mission. Its avowed purpose was to make a strong and decisive attempt to procure a just indemnity to the injured American citizens, and at the same time assert the honor of the country which suffered every day that the Government delayed to enforce the demand.

The State Department considered the time and circumstances as favorable for prosecuting the American claims. The time was appropriate since Mr. Nelson's mission came shortly after France, whose example was followed, and whose authority was relied upon, had yielded to the justice of the American claims.[8] The circumstances were also considered favorable since they coincided with the commencement of a new reign, when the mind of a young prince was presumed to be more susceptible of the feelings of justice than that of his predecessor, soured by the misfortunes inflicted upon him and his family by the former occupant of his throne.[9] Furthermore, yielding to the insistent demands for a settlement by the New England merchants who continued to send memorials to Congress, President Jackson, in his third annual message to Congress, December 6, 1831, pledged himself to secure indemnity for the wrongs committed against American merchants by Naples and other countries of Europe.[10]

The full power of John Nelson, the plenipotentiary of the United States, was dated October 24, 1831, the date of his commission as chargé d'affaires at Naples.[11] It was in customary form, authorizing him " to agree, treat, consult and negotiate of and concerning general Commerce between the United States and the government of the Kingdom of the Two Sicilies; and also on

[8] Those claims against France were in the major part for " belligerent depredations " during the Napoleonic wars, subsequent to 1805. For an account of these claims and the text of the treaty with France, signed July 4, 1831, see Hunter Miller, *Treaties and Other International Acts of the United States of America* (Gov't Printing Office, Washington, D. C., 1933), III, 641-651. With his Despatch No. 2, Feb. 13, 1832, Nelson sent to Livingston a copy of his [Nelson's] Note to Cassaro, dated Feb. 13, 1832, enclosing a copy of a convention between France and the United States, as agreeable to the wish expressed by His Excellency at the interview. It would seem that this was done to register at once with his government at home the fact that Cassaro had made this expressed request for the text of the treaty with France. For a full discussion of the French claims, see *Annals* of the 22nd Congress, 2d session, 1202-1297.

[9] Ferdinand II (1810-1859). The son of Francis I. Ferdinand became King of the Two Sicilies Nov. 8, 1830. He reigned to his death which occurred on May 22, 1859. He was known by the appellation of King Bomba.

[10] American merchants also had outstanding claims for spoliations against France, Holland, Denmark, and Spain.

[11] Department of State, 2 *Credences*, 171, 172.

the subject of Indemnities claimed by Citizens of the United States from that Government, in reference to the sequestration and confiscation of their property within the Neapolitan dominions, and all matters and subjects connected therewith, and to conclude and sign a Treaty or Treaties, Convention or Conventions touching the premises "; but his instructions of October 27, 1831, precluded him from an agreement regarding the American claims.[12]

Secretary of State Edward Livingston [13] in his Instruction No. 2, dated Washington, October 27, 1831, informing Mr. Nelson of his appointment, stated that the facts on which the demand was based were simple, had never been disputed, and the right which was deduced from them was founded on the clearest and best established principles of the laws of nations. For this reason, Mr. Appleton's instructions to Mr. Nelson were precise, but the Secretary of State made it clear that they required in their execution a steadiness of purpose not to be diverted from the object of Mr. Nelson's mission by arguments, however plausible, or retarded by the usual resources of diplomatic ingenuity.

Specifically, Mr. Nelson was instructed to convince the Government of the Two Sicilies that the United States were in earnest in exacting the full indemnity so long due to her citizens. Mr. Nelson was told to stress the desire of the President to cultivate friendly relations with the Government of the Two Sicilies, and of his desire to increase the commercial relations between the two peoples. Mr. Nelson, however, was to emphasize the fact that an indispensable preliminary was the settlement of the long deferred claims of American merchants. The President of the United States indulged the sincere hope that His Majesty would at once perceive and acknowledge that the American demand was well-founded, and thus signalize the commencement of his reign by an act of justice, that would at once have increased his reputation, secured the good feeling of a friendly power, and in the end promoted an intercourse that in a single year would produce more advantage to his people than the whole amount of the indemnity demanded.[14] Mr. Nelson was further instructed to anticipate the

[12] *Documents relating to the Convention with Sicily.* Senate Document No. 70, 22nd Congress, 2nd session, serial 230; Department of State, 13 *Instructions*, United States Ministers, 260-68. Hunter Miller, *op. cit.*, III, 711-721.

[13] Edward Livingston, of Louisiana. Commissioned Secretary of State by President Jackson, May 24, 1831. Commissioned as Envoy Extraordinary and Minister Plenipotentiary to France, May 29, 1833, and retired that day from the former post.

[14] The commerce and navigation statistics of the United States in those years

objections of the Neapolitan Government to the American claim—objections which were derived from alleged usurpation of Murat. In reply to these objections, Mr. Nelson was authorized to state that the liability of the nation to make good all the engagements made, to redress all the injuries done, and to profit by all the just advantages acquired by its Government *de facto*, was too well established in the code of nations, and too recently and generally exemplified in their practice to be then denied even in argument; that one nation can only look to the acknowledged and peaceable possessor of the political and civil power in another; that a contrary doctrine would produce a continual intervention between the independent powers, injurious to the right of self-government in each—a position which the United States would never assume with respect to other nations, nor suffer to be taken with respect to themselves. Therefore, Mr. Nelson was to make clear that his Government confidently expected that this ground of opposition to America's demand would no longer be insisted upon, and as, from the documents relating to the affair, no other had ever been advanced, the American minister felt certain that the Neapolitan Government was then prepared to treat for the long expected indemnity without any unnecessary delay, and enable him to announce to the American merchants that the long period during which they had waited for justice, was at length drawing to a close; and to the nation, that their reliance on the honor and good faith of His Majesty, had not been disappointed.

Mr. Nelson's instructions also advised him to convey to the Neapolitan Government in strong but respectful language, the idea that it was a firm resolve of the President, on his entering on the duties of his office, to assert in the most efficacious manner the rights and claims of the merchant class of his fellow-citizens upon foreign governments; that his avowed principle was to make no demand not founded on justice; but as far as his functions permitted, to submit to no wrong; that he had carefully examined all the circumstances of the American demand upon the Neapolitan Government; that the principle upon which it was founded appeared to him incontestable; and that, therefore, Mr. Nelson's mission had been decided upon in order to bring it to a close, to

gave separate figures for Sicily and for Italy and Malta, but no separate entry for Naples. It is, therefore, not possible to estimate the value of the imports and exports from the Two Sicilies. See United States, House of Representatives. Treasury Department. 22nd Congress, 1st Session. Document No. 230.

the end that if, unfortunately, a satisfactory answer should be denied, or delayed, up to the period necessary for communication to Congress, the President might submit to that body a statement of the demand he had made and afterwards execute whatever measures it deemed necessary to pursue for the protection of their fellow-citizens, and the honor of the conutry.[15]

This being a negotiation in which, of all America's other foreign relations, strength of argument and firmness of purpose were to be united with courtesy of manner and language, due as well to others as to ourselves, Secretary of State Livingston informed Mr. Nelson that the Government congratulated itself in his acceptance of a duty as important to private interest as well as public reputation, and which his [Nelson's] talents rendered him so fit to perform.

The Secretary of State wished to impress firmly upon Mr. Nelson's mind, and through him upon the Neapolitan Government, that the period for procrastination was past, that every diplomatic evasion of the result was considered as a denial, and that it was necessary that a communication of the result be made to Congress, who, most probably, would take such measures as ensured full compensation.

As a means of carrying out the general principle of the negotiation, if that was conceded, Mr. Nelson was instructed that the acceptance of a sum in gross, to be distributed among the claimants by a commission created by an act of Congress was to be preferred over any other means. Besides demanding full compensation, Mr. Nelson was to claim the interest during twenty years, for the injuries offered to the seamen and merchants, and the expenses to which the Government was put for sending these men home. All these, added to the principal, made a considerable amount, from which Mr. Nelson was not to retrench until he arrived at a sum that satisfied the claimants. It was not to be much, if anything, less than the amount of the ships and cargoes. However,

[15] In his third annual message to Congress, December 6, 1831, President Jackson referred at length to Nelson's mission, adding: ". . . and I feel the fullest confidence that the talents of the citizen commissioned for that purpose will place before him [His Sicilian Majesty] the just claims of our injured citizens in such light as will enable me before your [the Congress'] adjournment to announce that they have been adjusted and secured. Precise instructions to the effect of bringing the negotiation to a speedy issue have been given, and will be obeyed." See, James D. Richardson, *A Compilation of the Messages and Papers of the Presidents 1789-1897*. (Washington, D. C., 1896), III, 1113.

Mr. Nelson was also instructed to take every precaution in his power to prevent the admission into his estimate of all unfounded claims, and to reduce exaggerated estimates to their just value. The expenses of the Government in returning the seamen and supporting them was to be insisted upon as a point of honor from which no deduction was possible.

Since Congress was expected to remain in session until the first of May, the result of Mr. Nelson's mission was to be made known to them during the beginning of April, and was to be sent, at the latest, if no direct opportunity offered, by one of the vessels of the Mediterranean Squadron,[16] on the first of March. Because Mr. Nelson was not expected to reach Naples before the latter part of December, he had no more than two months to obtain a definitive answer. For this reason Mr. Nelson early in the negotiations, was told by Secretary Livingston, to take occasion to state to the Neapolitan Government that it was required by that time.

With these specific and detailed instructions, in his possession, Mr. Nelson set sail from New York on November 8, 1831. After a brief stay in London, he went to Paris. Leaving the French capital on December 27, he travelled via Lyons, Nice, Genoa, Pisa and Rome with all possible despatch, in the hope of accomplishing his journey in nine or ten days. However, with the most anxious diligence, he was not able to reach Naples till late in the night of January 19, 1832.

After having found suitable living accommodations, on January 23, Mr. Nelson addressed a note to Prince Cassaro,[17] Minister, Secretary of State for Foreign Affairs, informing the Neapolitan of his arrival, and asking an interview so as to present his letter of credence. This was done on January 25, and on Sunday, January

[16] The detailing of a war ship to "bring the treaty home" was sufficiently unusual an occurrence, in view of the rank held by Mr. Nelson, to indicate that there was urgency in getting it ratified in the United States. There was no intimation that the presence of the American Squadron in the Mediterranean or of this ship "to convey the treaty home" had any ulterior motive. However, as will be noted later, Commodore Patterson felt that he had had a share in Nelson's success.

[17] Antonio Statella, Prince of Cassaro (1785-1864). He was the son of Francesco Maria, the first Prince of Cassaro. Antonio Statella was sent as envoy extraordinary to Sardinia; ambassador extraordinary to Spain; envoy and minister extraordinary to Vienna. He was minister of foreign affairs *ad interim* from Jan. 26, 1830; minister of foreign affairs from July 27, 1830 to March 20, 1840; finally from March 15 to June 25, 1860, he was president of the Council of Ministers of Francis II. On the Prince of Cassaro, see: Ruggero Moscati, *Ferdinando II di Borbone nei documenti diplomatici austriaci* (Naples, Edizioni Scientifiche Italiane, 1947.) In this publication Cassaro's entire political career is traced and developed from unpublished documents in the archives of Vienna and Naples.

29, Mr. Nelson was received by the King "with much apparent cordiality." [18]

On January 31, Mr. Nelson transmitted to the Prince of Cassaro a note explanatory of the objects of his mission. In this note, the American chargé d'affaires followed very closely the instructions he had received from the Secretary of State. Since the Prince of Cassaro failed to reply to this note, Mr. Nelson asked and obtained another interview at the Foreign Office, which was granted on February 11, 1832. Being still without a reply to his communication of January 31, although it had been explicitly promised, Mr. Nelson availed himself of a casual meeting, on February 18, to remind the Prince of Cassaro of his engagement, and to express his regret that it had not been fulfilled. The Neapolitan Foreign Minister showed a good deal of embarrassment, earnestly assuring Mr. Nelson, to use the Prince's own language, that it was not his fault; and that the President of the Neapolitan Council had not convened that body, as soon as he had expected, but that it would assemble on February 20, when the answer to Mr. Nelson's demands would certainly be communicated to him. Mr. Nelson expressed his anxious desire to receive it, and his apprehension that longer delay might be regarded by the United States Government as indicative of an indisposition in His Majesty's council to do justice to American merchants; and coerce it to resort to measures which it was solicitious, if possible, to avoid. However, this last assurance by the Prince of Cassaro, like that tendered in the conference of February 11, remained unredeemed.

Nothwithstanding these repeated disappointments, it was Mr. Nelson's intention, as the period limited by his last note to the Prince of Cassaro approached, to have sought a second personal interview with him, when to Mr. Nelson's utter surprise he was informed that the Prince of Cassaro had left Naples for Sicily where he was likely to be detained for some time. Mr. Nelson had not received the slightest intimation of the Prince of Cassaro's intention to be absent from Naples, and although other considerations were alleged to have influenced the Prince of Cassaro's visit

[18] Referring to the "apparent cordiality," the *American Annual Register* 1833, p. 20, explained it by suggesting that "the ominous name of Nelson for Naples was fraught with recollections of bombarded capitals and exacted indemnities. The great English admiral had been a terror in the Mediterranean as long as Murat and Napoleon were in power." Perrotta, *op. cit.*, p. 53.

to Palermo, there was good reason for the belief that the opportunity it afforded of avoiding the necessity, with some show of excuse, of answering the demands he had preferred, was not entirely unappreciated. Meanwhile, information derived from various sources had satisfied Mr. Nelson that it was the policy of the Neapolitan Government to postpone the negotiation concerning the American claims as long as practicable. By deferring the discussion, in the opinion of Mr. Nelson, the Neapolitan Government hoped to render impossible the anticipated action of Congress upon the subject, during that session; and to place itself in a position, which would enable it to avail itself of any circumstances, which might occur, to justify the further postponement of its consideration thereafter. It was generally supposed, however, that in the end, the Neapolitan Government would gratify American demands, but that it would put off the evil day, as long as consistent with its own security. Mr. Nelson had every reason to believe that this supposition was correct.

In his Despatch No. 3, bearing the date line, Naples, March 12, 1832, informing Secretary of State Livingston of the progress of the negotiations, Mr. Nelson expressed the hope that the President would be satisfied that he [Mr. Nelson] had exerted every effort to meet his expectations and to bring this negotiation to a speedy issue. Mr. Nelson deeply regretted his failure to accomplish the object of his mission within the period contemplated by his instructions. He added, however, that he had every confidence that this failure would be readily referred to its true cause, namely, the predetermination of the Neapolitan Government, to avoid the discussion of the American claims, as long as it could, and to pay only when it was convinced that it had to.

In another despatch, unnumbered and marked " private," dated Naples, March 12, 1832, to Secretary of State Livingston, Mr. Nelson reiterated his own firm persuasion that a reply to his notes would be delayed, as long as possible, and when given, that it would be so framed, as studiously to avoid the discussion of the questions involved in the negotiation. Mr. Nelson did not believe that the Government had sufficient firmness, whatever its inclinations were, to give a positive answer of refusal to the American demands. The American chargé d'affaires was quite sure, however, that if it yielded, the result was due to its apprehensions, rather than to its sense of justice. The most effectual means of

bringing the negotiation to a close, within any reasonable time, according to Mr. Nelson, was to satisfy His Majesty of the power of the President to resort to measures of coercion, if redress was longer withheld. Mr. Nelson suggested that an act of Congress investing the Executive, with authority, to employ naval force, to enforce America's just demands, if satisfactory arrangements were not concluded by a limited day, would result in the prompt accomplishment of all America's purpose. Anything short of this, Mr. Nelson feared, would encourage the belief, that this negotiation, like those of 1816 and 1825 could be dismissed, without hazard to Neapolitan interests.

Meanwhile, on inquiry, Mr. Nelson had discovered that the revenues of His Majesty were ample, and, therefore, he would be quite able to pay if he had to. The facts were significant: the Government was buying in its inscription debt every week; twenty-four millions of ducats was the estimated amount of its clear income; its debt was almost one hundred millions, bearing an interest of five percent; and its stock was worth about 78. Hence Mr. Nelson came to the conclusion that although it was true that the debt of the Government was large, its means were more than sufficient to meet all its engagements.

Two important interviews on April 4, and May 14, between Mr. Nelson and the Prince of Cassaro followed. In both interviews Mr. Nelson expressed his decided dissatisfaction with the course which had been pursued by the Neapolitan Government in relation to the American claims and renewed his application for a definite reply to his note. At the first interview (April 4), although the Prince of Cassaro expressed his regrets, Mr. Nelson felt certain that the groundless pretext for further postponement unequivocally evidenced the settled design of the Neapolitan Government to protract the negotiation, to as late a period, as consistent with a sense of its own security. Mr. Nelson became daily more convinced that the Government intended to put off the settlement as long as it could. At the second interview (May 14), to the usual cordial greetings of the Prince of Cassaro, Mr. Nelson replied that to him it was a subject of unaffected concern that the demands had failed to engage the prompt attention of His Majesty's Government; that, after the promises which he had received from time to time, the views of His Majesty with regard to them would be communicated to him, he had just reason

to complain, that the reply had been so long withheld; and that he was not sure, that instead of continuing to press the claims upon the notice of a Government seemingly indisposed to consider them, it would not better consist with the dignity of the nation he represented, and with his own duty, to take his leave of the Neapolitan Court. However, Mr. Nelson added that he entertained a strong repugnance to the adoption of a course which might appear harsh or to break off a negotiation, which he trusted would yet terminate satisfactorily to the Government of the United States. The Prince replied that he felt certain that the reply would be given within a few days, although he was unwilling to pledge himself to this action.

Finally, on June 2, Mr. Nelson received the long-expected reply of the Prince of Cassaro. It was dated May 30. It substantially reasserted the principles assumed by the Marquis di Circello [19] in his note to Mr. Pinkney of October 15, 1816.[20] Briefly, the Neapolitan Government rested its denial of its responsibility for the acts of Murat upon two grounds: (1) that he never was *de facto*, the King of Naples; that the acts of confiscation complained of emanated from Napoleon and that France alone was responsible for them, Murat, being in regard to them, but the passive instrument of the Emperor; (2) that conceding Murat to have been invested with complete sovereign power, yet it was founded in usurpation and the restored dynasty was not answerable for his wrongs. These positions, according to Mr. Nelson, were supported by various suggestions of fact and argument " specious and plausible." No attempt was made to justify the confiscations; on the contrary, they were denounced as indefensible. The note concluded with an offer to deliver up the American vessels then in the Neapolitan service, or to pay for their value.

To this paper, Mr. Nelson sent a reply on June 29, in which he discussed in great detail the several questions presented.[21] Mr.

[19] Tommaso di Somma, Marquis di Circello (1737-1826). A prominent figure in Neapolitan government affairs. At the time of Mr. Pinkney's mission, the Marquis di Circello was minister of foreign affairs.

[20] For text of this despatch, see: *Message from the President of the United States, Transmitting in Conformity to a Resolution of the House of Representatives of the 30th of January last, Sundry Papers, in Relation to the Claim of the Merchants of the United States, for their Property Seized and Confiscated under the Authority of the King of Naples. Read and ordered to lie upon the table.* March 2, 1818. House Document No. 130. (Washington, E. De Krafft, 1818.)

[21] This note to Cassaro, dated Naples, June 29, 1832, is the one which con-

Nelson endeavored to show that the Government of Naples from 1808 to 1815 was in Murat; that he reigned *de facto*; that the confiscations of the vessels and cargoes of American citizens, were the acts of the Neapolitan Government for which the nation was responsible; and that the responsibility having once attached to the nation, adhered to it, despite the changes which had occurred in its government and rulers. To the offer to deliver up the vessels or pay for their value, Mr. Nelson replied that his instructions contemplated no partial arrangement of the claims preferred; but that should the Neapolitan Government tender a sufficient recompense for any part of them, he would not decline its acceptance; that, however, to be sufficient, it had to cover not only the value of the vessels at the time of their seizure, in the port when they sailed, but the interest upon that value up to the time of payment; and that its acceptance, in discharge of the particular claims, was to be accompanied by an explicit declaration that it would not operate, or be construed to impair or affect the residue of America's demands, upon a satisfactory arrangement of the whole of which, the United States, would not cease to insist.

If the refusal of the Neapolitan Government to satisfy the American claims at this point had been given at an earlier period, Mr. Nelson would have regarded it as sufficiently positive to have justified him, in at once demanding his passports, and returning to the United States. But as he expected to receive instructions from Secretary of State Livingston daily,[22] he felt it his duty to

stituted Nelson's masterwork while in the post at Naples, for in it he established, in lengthy and carefully thought out logic, the full case for the American claims, supporting his argument with aptly chosen quotations from the works of learned international lawyers whose works still are standard after nearly 200 years. This letter is further noteworthy as being the one which Nelson, after he had started home with the treaty achieved, claimed had been distorted in publication under the auspices of the Senate. On this matter see below. Nelson's note of June 29, 1832 is published in Senate Document No. 70, pp. 31-50.

[22] Some idea of the delays involved in diplomats' communication with their home government, and the consequent extent to which they were constrained to face the problems of their post alone, may be gained from the fact that the month before his Despatch No. 8, July 12, 1832, of Nelson, his chief, Mr. Livingston, was writing in his Instruction No. 5, dated June 11th: "Your Despatch No. 3, dated the 12th of March was received by the *Ontario*, on the 6th of May last. Having since been in daily expectation of hearing from you, further instructions have been delayed until this moment, when the sailing of the *United States* obliges us to found them on the information given by you at that time when your last was written. . . . Neither the dignity of our Government, nor the duty it owes its citizens, will justify any further delay; and that you are therefore instructed to demand an explicit answer, whether the Neopolitan Government will make satisfaction for the seizures made by Murat of the property of American citizens, and take measures for the prompt and full payment of the same; that the frigate

await their arrival. In the interim, Mr. Nelson proposed to use his best efforts to impress the Neapolitan Government with more just and liberal views upon the subject in controversy. Mr. Nelson did not believe, however, that any change in the determination of the Neapolitan Government could be affected by discussion. In his Despatch No. 8, dated July 12, 1832, to the Secretary of State, Mr. Nelson wrote that nothing short of actual force, or the decided manifestation of a resolution to resort to reprisals, would influence it to do justice to America's abused citizens. The Neapolitan Government, according to Mr. Nelson, had neither the power nor the inclination to resist such a manifestation; but it confidently counted on the continued forbearance of the American Government. Indeed, Mr. Nelson feared that His Majesty's Government would persist in withholding all redress, as long as mere negotiation was employed to enforce its rendition.

Mr. Nelson received no reply to his note of June 29. There followed several conferences with the Prince of Cassaro, from which Mr. Nelson collected enough information to satisfy him, that the Neapolitan Government would withhold all redress, until measures of coercion were resorted to. In another interview held on July 3, 1832, the Prince of Cassaro inquired whether, if the Neapolitan Government yielded the principle in contestation, the United States Government would consent to receive works of art, in payment for the demands of its citizens. To Mr. Nelson's reply that he had no authority to conclude such an arrangement, the Prince of Cassaro said: "We have no money; and it is impossible for us to pay in money." Thereupon Mr. Nelson proceeded to show that the Sicilian Government, if willing, was

United States, despatched to demand this answer, will wait twenty days to receive it, and if, at the expiration of that time, a satisfactory answer is not given, and proper provision made for the payment of our citizens, that you are directed to ask for your passports to return to your country, and that the President will then take such measures as his constitutional duties shall direct. . . ." Livingston also stated that the President, under the existing circumstances, had deferred making a communication to Congress relative to our claims on Naples. In the United States, the readying of the *United States*, the *Delaware* and others for sea duty at short notice, caused rumors to fly thick and fast. Nor was their destination unknown, for both newspapers, the *Globe* and the *National Intelligencer*, deemed to closely reflect government viewpoints, engaged, in May, in lively, and opposing, printed interpretations of what all this activity of the Navy portended; the *National Intelligencer* asking pointedly, and with the reinforcement of comment by *Niles Register*, (a Baltimore paper, almost as widely read on government matters and public affairs): "What business have our vessels of war with diplomatic negotiation?" See Niles' comments on these and other articles, in *Niles Register*, XLII, May 19, 1832, p. 211.

abundantly able to pay, that it was every week amortizing portions of its public debt, and that for that purpose, the appropriation had recently been doubled. In any case, Mr. Nelson made it perfectly clear that if the real motive for declining an arrangement was to be found in the financial condition of the Neapolitan Government, candor required that the refusal to pay should, in their official correspondence, be placed upon its true ground.

At this point, Mr. Nelson was informed that the King had gone on a visit to Abruzzi whence he was not expected to return before August 3 or 4. On July 25, 1832, however the *Brandy-wine* and *Constellation* came into the port of Naples. The consequence was that an express was despatched to His Majesty, who returned to Naples two days later. The point was, as Mr. Nelson learned later, that, upon the occasion, great uneasiness was felt and vigorous preparations were made for the defence of the city, which its inhabitants had the weakness to suppose was about to be attacked. However, the ships sailed after a few days, and the alarm subsided with their departure.

On September 11, Mr. Nelson received the long-expected instructions from Secretary of State Livingston. The following day, September 12, 1832, in a strong note addressed to the Prince of Cassaro, Mr. Nelson complained that the promise had not been redeemed. More than two months had elapsed since the date of his earlier note, and the assurances tendered remained unfulfilled. Therefore, Mr. Nelson was being forced to write again. Mr. Nelson repeated that neither the dignity of the Government of the United States, nor the duty it owed to its citizens, would justify or sanction submission to further delay. He was, therefore, especially instructed to demand an explicit answer to the following inquiry: "Will the Government of Naples render satisfaction for the seizures and confiscations made by the Neapolitan Government during the reign of Murat, of the property of American citizens; and take measures for the prompt and full payment of the same?" In his note, Mr. Nelson added that he had been further instructed to apprize the Neapolitan Government that the frigate *United States* then in the port of Naples, had been despatched to receive the answer to this specific demand; that the frigate would wait for it twenty days; and if at the expiration of that time, a satisfactory reply was not given, and proper provision made for the payment of the claims preferred, he was

directed to ask for his passports to return to the United States, when it devolved on the President to take such measures for the vindication of the rights of his fellow citizens as his constitutional duties directed.

Upon the receipt of this note the Prince of Cassaro immediately invited Mr. Nelson to a conference. In this, as in the previous conferences, Mr. Nelson earnestly endeavoured to impress the Neapolitan Government, with a just sense of the importance of an immediate adjustment of the differences between the two governments, and at one time, indulged the hope that the object of his mission would be satisfactorily arranged.

On October 2, 1832, Mr. Nelson regretted to inform Secretary of State Livingston that he had been disappointed in this expectation. With an avowal of its willingness to settle the American claims, the Neapolitan Government, on October 1, assumed such grounds in regard to the indemnity, as to constrain Mr. Nelson to put an end to the negotiation. Accordingly, Mr. Nelson demanded his passports. The largest sum offered by the Prince of Cassaro fell so far short of his demands, as to justify the belief that the Neapolitan Government had never sincerely contemplated an amicable arrangement.

In a note dated October 2, 1832,[23] the Prince of Cassaro informed Mr. Nelson that he was sending him herewith a passport agreeable to his request. However, the Prince of Cassaro added, by order of the King, that although the American chargé d'affaires thought it proper to quit the country, yet the Neapolitan Government did not consider the negotiation terminated, especially since His Majesty, actuated by that spirit of conciliation, which formed so distinguishing a trait in his character, had conceived certain propositions, which being similar to those agreed upon in the late convention, between France and the United States, seemed likely to accommodate the existing differences. Urged by a sincere desire to maintain and strengthen his amicable relations with the United States and to dispel the existing difficulties, His Majesty was determined to bring the affair in question to a conclusion, and as the departure of Mr. Nelson would render that impossible in Naples, His Majesty had decided to send immediately to the United States a diplomatic agent furnished with proper instruc-

[23] This note is published in Senate Document No. 70, pp. 53-54.

tions and with the power necessary for making a treaty, and thus ending the negotiations begun in Naples.

Suddenly and unexpectedly the Neapolitan Government decided to come to an agreement on the American claims. In Despatch No. 11, to Mr. Livingston, dated October 8, 1832,[24] Mr. Nelson stated that since the receipt of the above note from the Prince of Cassaro, he had been occupied in the business of bringing the negotiation to an issue, highly favorable, he thought, to the interests of the American claimants. Mr. Nelson made no specific mention as to what actually transpired, but he stated that the treaty was then being prepared and would be signed within a day or two. By this agreement, according to Mr. Nelson's despatch, the Neapolitan Government stipulated the payment of two millions, one hundred and fifteen thousand Neapolitan ducats, in installments, with interest. The sum of 7,675 ducats part thereof was to be applied to reimburse the United States Government for the expenses incurred by it in the transportation of American seamen from the Kingdom in 1810, and the residue was to be distributed among the claimants in such a manner and according to such rules as the United States Government might prescribe. This sum, Mr. Nelson believed, very nearly covered the principal of all the just and well founded claims. Mr. Hammett, who was quite familiar with the whole subject, thought it quite sufficient to satisfy them all. Mr. Nelson acknowledged that the entire negotiation had been a very arduous one to him; but, he added, if the result proved satisfactory to the Government of the United States, he would find in its approbation, a full remuneration for the toils and vexations to which he had been exposed during its progress.

Soon after the treaty had been signed, Mr. Nelson left Naples to return to the United States. He sailed on the *Concord*, and arrived at Portsmouth, on December 5, 1832, after what he described as a "boisterous" and a very uncomfortable passage.[25]

[24] This Despatch No. 11 is published in Senate Document No. 70, p. 54.

[25] The *Concord* reached Portsmouth too late to enable the President in his annual message of December 3rd to announce that the treaty had been concluded, although the text of that message reveals that he anticipated that such would soon occur. In a further message of December 17, the President communicated to the Senate the text of the Convention. A rare printed copy of this text, alone, is found in the Archives of the Senate, together with the manuscript copy that was sent by the State Department to the President, and by him with his message and bearing in pencil the evidence of how the text was assigned to the printer's typesetters. This printed text (treaty alone) bears the legend, "Convention between the Government

He had suffered so much during the voyage that he felt quite indisposed on arrival. In fact, his exhaustion and fatigue obliged him to stop at Boston where he had the opportunity to talk to several of the claimants who assured him that they were " entirely " satisfied with the result of the negotiation. One of the claimants had told him that the sum secured in the settlement was more than sufficient to pay the principal of just claims, by 20 per cent. Mr. Nelson had every reason to feel highly pleased with his success in concluding the convention.[26]

of the United States of America and His Majesty the King of the Kingdom of the Two Sicilies, 22d Cong. 2nd Sess. Confidential No. 3. In the Senate of the United States, Dec. 17, 1832. Read and referred to the Committee on Foreign Relations and ordered to be printed in confidence for the use of the Senate. (This pamphlet, two pages, is found in the United States National Archives, Executive and Legislative Records Division, Senate, Class 22B-B7, Two Sicilies.

On December 31, the Senate, by Resolution at the instance of Mr. Forsyth, of the Foreign Relations Committee, called for all the correspondence pertaining to the Convention, and also for the Instructions which had been sent to Mr. Nelson. On January 14th, President Jackson complied with this request, but added an emphatic caution that in this correspondence there were " confidential reports concerning the Neapolitan officers, which were never meant for the public eye, and that might if printed, accidentally find their way abroad and thereby embarrass our ministers in their future operations in foreign countries." Further, the President recommended " such discrimination be made as to avoid that inconvenience." See, United States: Convention United States and the Two Sicilies. Message from the President of the United States transmitting a copy of a convention between the United States and the King of the Two Sicilies. Jan. 24, 1833, referred to the Committee on Foreign Affairs. United States Executive Documents No. 69. House of Representatives, 22nd Congress 2nd Session, II, 2 pp). The Senate receiving this message on the 16th of January, proceeded on the 19th of Jauanry to " advise and consent to the ratification of the convention." (Thirty-nine senators concurred. See, *Senate Executive Journal*, IV, 301.)

United States President. *Message from the President of the United States transmitting copies of a convention between the United States and the King of the two Sicilies, respecting depredations inflicted upon American commerce.* 23d Congress, 1st Session, 1833-34, House of Representatives. Executive Document, No. 414. House.

United States President. *Message from the President of the United States transmitting a copy of the convention between the United States and the King of the Two Sicilies.* Jan. 23, 1833, referred to the Committee on Foreign Affairs. 22d Congress, 2d Session, Executive Document No. 60, House, v. 2, p. 2. This document contains the text of the convention.

United States President. *Message from the President of the United States to the Two Houses of Congress at the commencement of the first session of the twenty-third Congress.* Dec. 3, 1833, 23d Congress, 1st session, I, No. 1, p. 7. United States Senate. Documents relating to the convention with Sicily, Feb. 9, 1833. 22d Congress, 2d Session, Senate Document 70, 54 pp.

[26] Commodore Daniel T. Patterson (1786-1839), too, was elated, especially since he felt that he had also contributed to its success. Writing to his superior officer, the Secretary of the Navy, on October 13 (note this date was the day before the treaty was signed), Commodore Patterson said: " It is admitted by Mr. Nelson that the appearance of the Squadron in this bay had great effect in producing so favorable a result." (United States Navy Records, in United States National Archives, *Letters, Officers:* Captains' Letters: Patterson to Woodbury, Oct. 13, 1832. For contrasting comment in the *American Annual Register*, 1832, and in the

On January 11, 1833, Secretary of State Livingston asked Mr. Nelson whether he would be willing to return to Naples in the same character in which he had gone there first. The immediate object was the exchange of ratifications of the treaty which he had "so ably negotiated." [27] However, Mr. Livingston added that it was to be considered as a continuance of the same mission, and, of course, no outfit was allowed. So far as can be determined Mr. Nelson did not reply to the communication in writing, although he may have discussed it with the Secretary of State. The fact is that Mr. Nelson did not return to Naples.

On March 2, 1833, Mr. Nelson wrote, from Frederick, Md., to Mr. Livingston stating that Mr. Forsyth [28] had been kind enough to forward to him, that day, a copy of the document touching the

London *Globe*, see Perrotta, *op. cit.*, 71-72. From 1832 to 1836 Patterson commanded the Mediterranean Squadron after which he was, until his death commandant of the Navy Yard at Washington, D. C. See *Dictionary American Biography*, XIV, 301.

[27] The Senate having passed upon the treaty officially, and the House of Representatives having implemented it in due course on March 2, the matter of the exchange of ratifications proceeded under the orders issued on January 29, 1833, to Auguste Davezac, United States Minister to the Hague, who was directed to proceed to Naples and attend to the securing of the ratification by the Neapolitan King, in exchange for the ratification signed by the President of the United States. This took place on June 8, 1833, but not until this signed document had been delivered to the President did he issue, on August 27, 1833, his Proclamation of the text of the treaty, with the statement that it was from that date in force. This proclamation text, for the first time gave both the English and the Italian texts, in parallel columns.

Eleven months later, on May 13, 1834, the President again communicated to Congress "copies of a convention . . . to terminate the reclamations . . . for the depredation upon American commerce by Murat. . . ." The text, both in English and Italian, of the convention as proclaimed, was incorporated in this Message of the 13th of May, as communicated on the 14th. Thus was closed, so far as the United States was conecrned, the long cycle of official procedure required to create its share in the birth of a new item in international law. From the point of view of the claimants, however, the matter was still far from closed, for there remained still the work of the Board of Commissioners, appointed under the Act of March 2, 1833, and the long and tedious process of supporting and adjudicating the individual claims, all of which had to be brought within the total amount of the indemnity agreed to in the convention. For a general account of that process, see Miller, *op. cit.*, III, 718-721. For a list of the individual awards, of which there were some 275 approved, see House Document 242, 24th Congress, 1st Session, Letter from the Secretary of State, in compliance with a Resolution of the House the 23d instant, letter dated April 27, 1836. For further details, as to the international financing of the payments from the Neapolitan Government and the measures used to protect the interest of the claimants in the devious transactions of international exchange, see Senate Document 351, 25th Congress, 2d Session, Report of the Secretary of the Treasury. In compliance with a resolution of the Senate of the 16th of February last, in relation to the payment of the French and Neapolitan indemnities, dated March 30, 1838, read and ordered to be printed.

[28] John Forsyth was, at this time, chairman of the Senate's foreign affairs committee.

convention with the King of the Two Sicilies, printed by the Senate's order.[29] Upon referring to it, Mr. Nelson discovered that it contained three of his notes to Prince Cassaro, one of which and that the most important, dated June 29, 1832, " had been so inaccurately printed as completely to disfigure the argument it was designed to present." There was scarcely a paragraph, or sentence, he added, into which some error had not crept. In this form, Mr. Nelson felt that it was certainly calculated to do him great injustice with the public. He hoped, therefore, that it could be corrected, since he assumed that they were attributable to the negligence of the press. It was mortifying to him, he confessed, that this note which he had certainly prepared with some labor, should go to the public in the mangled condition, in which this document presented it.

Upon the receipt of Mr. Nelson's letter, Mr. Livingston examined the document and found that Mr. Nelson's note had been " wretchedly mangled " in the printing. However, since Congress had already adjourned, Mr. Livingston could only publish the errata in a newspaper. This, he admitted, was a very imperfect way of correcting the evil, but it was the only one that occurred to him, and he was determined to have it done if Mr. Nelson desired it.

In his reply to Mr. Livingston, dated March 16, 1833, Mr. Nelson stated that the errors in the printed document were so numerous and important, as to render it impossible to correct them, by the mere indication of them, as errata in the newspapers. Besides, Mr. Nelson added, the Secretary of State was aware that in the form this note had assumed, unless something was done to prevent it, it would be bound up in the public documents, a fact which would do him lasting injustice. Mr. Nelson insisted that the note, as published, was not the note he had presented to the

[29] There was passed on February 9, 1833 (*Senate Journal*, IV, Appendix, 286; *Senate Executive Journal*, p. 30) an " order to remove from the seal of secrecy and to be printed the following documents communicated to the Senate on the 16th of January in compliance with a resolution of the 31st of December:

" Instructions of the Secretary of State to Mr. Nelson, Nos. 2, and 5, of 27th October 1831 and 11th June 1832;

" The correspondence between Mr. Nelson and the Prince of Cassaro, Minister of Foreign Affairs of the Kingdom of the Two Sicilies, viz.:

" Letters of Mr. Nelson dated 31st January, 27th February, 29th June, 1832.

" Letter of the Prince of Cassaro dated 30th May 1832.

" Despatches Nos. 10 and 11, of Mr. Nelson to the State Department, dated the 2d and 8th October 1832;

" And that they be printed for the use of the Senate."

Neapolitan Government, and he felt that it was due to him as well as to the public that a paper, professing to proceed from the Government, should not be permitted to remain before the country in the mangled condition, in which the Senate's document then presented it. If it could not be otherwise corrected, Mr. Nelson felt constrained to cause it to be reprinted at his own expense.[30]

[30] The question as to what printed text Forsyth actually showed to Nelson, that which Nelson made the basis of his charges in this letter of March 2d, leads to interesting facts about the printing procedures of the time in regard to congressional documents. Investigation of the original records, and comparison of these with the various printed versions, shows that the texts of the treaty (as at various stages of the negotiations and subsequent consideration in Congress, in both Senate and House, as well as when finally proclaimed by the President and subsequently so reported to Congress) were separate publications of the treaty text alone. The story of the publication of the correspondence regarding the convention with the Two Sicilies is as follows, and the dates involved are to be carefully noted:

The letters whose text Nelson complains, on March 2d, had been "inaccurately printed" were those he had enclosed with his Despatch No. 13, and which, arriving with himself on the *Concord*, at Portsmouth, approximately December 5, 1832, had also been among those Notes, Despatches, etc. which the President, on January 14th, 1833, in compliance with a Resolution of December 31st, had communicated to the Senate, and were by the Senate, referred to the Committee on Foreign Relations; on January 19, the Senate had voted to "advise and consent to the ratification of the convention"; on January 24, the President had communicated the treaty, minus any of the correspondence, to the House, which, having had the matter under advisement in its own Committee on Foreign Affairs had brought forth the implementing Act of March 2, 1833, providing for the appointment of a Board of Commissioners to adjudicate the claims.

When the President communicated the letters to the Senate, he had been at some pains to caution that ". . . they are written by the agents of the United States to their own government with a freedom, as far as relates to the officers of that of Naples, which was never intended for the public eye, and as they might, if printed, accidently find their way abroad and thereby embarrass our ministers in their future operations in foreign countries, I respectfully recommend that in printing, if deemed necessary, such a discrimination be made as to avoid that inconvenience, preferring this course to withholding from the Senate any part of the correspondence." See Message of January 14, communicated January 16. No order to print the correspondence at all is found at this time.

Of February 9, however, and while the House was considering what form the implementing Act should take (the Act passed March 2), the Senate, on motion of Mr. Forsyth, ordered the removal of the seal of secrecy on certain specified documents in this correspondence, and ordered them to be printed "for the use of the Senate." This phrase, in those days, usually meant the printing of a small "separate" issue, sometimes specified as to number, usually 100 copies, which were in the nature of "working copies" for Senators' use during the discussions on the floor or in committee. Of such a nature may have been the copy shown to Nelson which prompted his protest letter of March 2, to Secretary of State Livingston, especially since on March 16, Nelson referred to it as not yet "bound up in the public documents."

In the form actually "bound up" we find the same set of letters listed as is mentioned in both the *Senate Journal* (IV, Appendix, 286) and in the *Senate Executive Journal* (page 30), under date of February 9, in both cases, in the order to "remove secrecy" and "to print." Thus "bound up" these letters comprise Senate Document No. 70, of the 22d Congress, 2d Session, "for the use of the Senate," 54 pp. This writer has not been able to locate a copy of the printed versions to

Mr. Duff Green,[31] the Senate's printer, to whom Mr. Nelson had referred the matter, blamed the Department of State for the errors.

which Nelson took such severe exception; nor has he been able to discover any evidence, to date, either in printed form or in the original documents in the United States National Archives, that any "separate" (as hypothetically assumed might have existed, and have been the one handed Nelson by Forsyth) ever existed. That it may have existed, and having been found to have been full of errors, thereupon recalled from (or never have reached the hands of) the Senators is another possibility within the general pattern of printing difficulties of that day.

Careful comparison of the Nelson Notes to Cassaro, especially that of June 29, 1832, of which he most vehemently protested its misprinting, shows that the printed version in Senate Document 70, as found "bound up" in the public documents series, and bearing the labels of the Senate Chamber and the Senate Library, varies scarcely at all even in spelling and punctuation, and not at all materially in phrases or meaning, from the original of that note comprising Enclosure B, with Nelson's Despatch No. 13. Reference, further, to the texts of this Note to Cassaro, as sent with the President's Message (and therefore originating as copies made in the State Department for the President's transmitting to the Senate) shows that these texts also, which are the ones sent to the printer and bear the printer's endorsements of names of his typesetters who were to handle the several sections of this printing job, agree, virtually verbatim, with Nelson's own Despatch No. 13, Enclosure B, and similarly for other letters of which Nelson complained as to their misprinting. The only color given by this file to the possibility that these letters went twice to the printer, is the fact that two manuscript copies of them are found in Senate, Class 22B-B7, and that the printers' names endorsed thereon, in assigning the work, appear to be different on the two sets of the letters in question. But mystery remains, owing to the further fact that both these sets of the manuscript letters (those from which the seal of secrecy was removed on February 9, as above cited) are as virtually verbatim, to the Nelson enclosures with his No. 13, as are the same letters found in the "bound up public documents" in Senate Document 70. Therefore, unless and until, and if ever possible now after passage of more than a century an actual "separate" printing of the letters, on Senate order (there was only the one order, that of February 9, cited above) turns up from some obscure pamphlet collection, perhaps still personally owned, there will be no way of knowing just what, in detail, were those "errors in printing" which Nelson on March 16, 1833, claimed, with particular reference to the Note to Cassaro of June 29, 1832, was "not the note presented by me to the Neapolitan Government," and that in this Note "there is not a paragraph in the printed document which does not misrepresent me . . . the more remarkable as all other portions of the Document have been printed with unusual accuracy." The printing of documents in loose pamphlet form, preliminarily, and then, with same title page, but sometimes altered text (due to official action meanwhile) has been known to occur in the ordinary course of procedure. This occurred, without change of text, in the case of the Treaty text itself, as sent to the Senate, December 17, 1832, and could have similarly occurred in the case of these Despatches and Notes "released" for publication on February 9, 1833. No other explanation seems logical, for the allegations in Nelson's letters of March 2, and March 16, and since the copy Nelson criticized was handed him by the chairman of the Senate's Committee on Foreign Affairs, Mr. Forsyth, it is also reasonable to suppose, that none of the misprinted copies were ever put into the hands of the senators. In this supposed case, the entire issue may possibly have been destroyed, a reprint correctly made, and that then, the form found as Senate Document No. 70, of the 22d Congress, 2d Session "for the use of the Senate," ordered printed February 9, 1833, may have been the only version, in print, that ever was in any way really circulated. At this late date, the problem involved here is of small moment, but the attempt to ascertain the facts is enlightening as to printing procedures of that early period, and as to how supposedly justified protest over inaccuracies of printing could be handled with as much aplomb as were international affairs.

[31] Duff Green was at this date one of the public printers in Washington. The

Nevertheless, Mr. Nelson felt confident that the errors were attributable exclusively to the carelessness of Mr. Green's office. Mr. Nelson regretted having to trouble the Secretary of State on the subject, but he felt that the errors were such that, if uncorrected, were calculated to prejudice him before the public. There was not a paragraph in the printed document, he reiterated, which did not misrepresent him, insofar as the note of June 29 was concerned.[32] This was the more remarkable, he concluded, as all other portions of the document were printed with unusual accuracy.

But let us go back to the treaty [33] which Mr. Nelson was able to conclude so ably. No papers accompanied the convention when it was sent to the United States Senate with the presidential message of December 17, 1832.[34] However, in response to a Senate resolution requesting all the relevant correspondence,[35] the documents were transmitted with the following presidential message of January 16, 1833: [36]

In conformity with a resolution of the Senate of the 31st December last, I herewith transmit copies of the instructions under which the late treaty of indemnity with Naples was negotiated, and of all the correspondence relative thereto.

It will appear evident from a perusal of some of those documents that they are written by the agents of the United States to their own Government with a freedom as far as relates to the officers of that of Naples which was never intended for the public eye, and as they might, if printed, accidentally find their way abroad and thereby embarrass our ministers in their future operations in foreign countries, I respectfully recommend that in the printing, if deemed necessary, such a discrimination be made as to

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print of Senate Document 70, containing the letters in question, as found, in the Public Documents Series, does not individually bear the printer's name; but the title page to the whole volume, Serial 230, from Senate Chamber Library, and now in the United States National Archives, bears the imprint " Printed by Duff Green, 1832." This date is governed by the date of beginning of the Second Session of the 22d Congress; the dates of the individual documents contained in the volume are indicated on their several title pages; that for Senate Document 70 being February 9, 1833. The title there used was " Documents relating to the Convention with Sicily." The treaty text is not included therein.

[32] This was Nelson's master effort in striving to achieve the signing of the treaty—his long discourse on points of the " law of nations " involved in this case of the Murat spoliations. Compare Enclosure B text, with that of printed Senate Document 70, 22d Congress, 2d Session, February 9, 1833.

[33] For the text of the treaty and accompanying notes see Miller, *op. cit.*, III, 711-721.

[34] *Executive Journal*, IV, 286.

[35] *Ibid.*, 292-93.

[36] *Ibid.*, 300.

avoid that inconvenience, preferring this course to withholding from the Senate any part of the correspondence.

Some of these papers were printed and the injunction of secrecy removed therefrom.[37]

The convention was communicated to Congress with the presidential message of January 24, 1833.[38] The act to carry the convention into effect was passed on March 2, 1833,[39] which, while after the date of ratification by the United States, was prior to the going into force of the convention, as the ratifications were not exchanged at Naples until June 8, 1833. Therefore, the convention was again communicated to Congress with the presidential message of March 13, 1834.[40]

Since Mr. Nelson had nothing to do with the actual settlement of the claims, the story of his mission to Naples ends with the actual ratification of the treaty. Students who wish to study further the claims settled by this convention and their origin and the proceedings of the Commissioners appointed to examine the American claims pursuant to the act of March 2, 1833 (4 Statutes at Large, 666-67), and to Article 1 of the convention, are referred to Moore's *International Arbitrations*.[41]

The proceedings of the board of Commissioners lasted about eighteen months—from September 19, 1833, to March 17, 1835, when their report was made. The total of the awards made by the Commissioners, including 20 percent for interest amounted to $1,925,034.68.[42] A list of the awards made was published in House Document No. 242.[43]

Taking the Neapolitan ducat as the equivalent of 83 cents, the total amount of the indemnity (without interest), 2,115,000 Neapolitan ducats, would be $1,755,450.[44] At the same rate of ex-

[37] *Ibid.*, 309. That print, bearing the date February 9, 1833, is marked Senate Document No. 70, 22nd Congress, 2d Session, Serial 230.

[38] Richardson, *op. cit.*, II, 633.

[39] 4 Statutes at Large, 666-67.

[40] Richardson, *op. cit.*, III, 50.

[41] Volume V, 4575-4589. The rules, established during the sixth session of the Board of Commissioners, were published on January 24, 1835, in the form of "principles governing the making of the awards." They may be found in J. B. Moore, *op. cit.*, V, 4585. The final report of the Commissioners, dated March 17, 1835, is given in Moore, *op. cit.*, 4581-4589.

[42] Moore, *op. cit.*, 4581-4589.

[43] 24th Congress, 1st session, Serial No. 291.

[44] Moore, *op. cit.*, 4581.

change the amount set aside for the expenses of the American Government: 7,679 ducats, would be $6,373.57.

The nine annual instalments of this indemnity of 235,000 ducats each were, by the terms of the convention, payable at Naples on June 8 of each year from 1834 to 1842, inclusive, with interest:—including the interest at 4 per cent, the total was 2,538,000 ducats, the instalments (with the interest) ranging from 319,600 ducats in 1834 to 244,400 in 1842.

The nine instalments were duly paid, papers showing in detail the collection of the first four instalments (from 1834 to 1837, inclusive) through bankers in Paris, are in Senate Document No. 351.[45] The total amount of these instalments, as received at the Treasury after deduction of expenses, was $995,965.62.[46] The figures of the total receipts and expenditures under the convention are in Senate Document No. 38.[47] The receipts for the nine instalments, up to and including the amount reaching the Treasury in 1843, totalled $2,049,033.12. The sum received for the expenses of the American Government was $235.34.

After the going into force of this convention efforts were made by the Neapolitan Government to reach an agreement with the Government of the United States for a lump-sum payment in lieu of the annual instalments. The first offer to commute the payments (at a discount of 24 per cent) was made under date of December 14, 1833, even before the first instalment was due.[48] In 1834 and 1835 there followed considerable correspondence between the Secretary of State and Domenico Morelli, the Consul General of the Kingdom of the Two Sicilies.[49] The United States Government at first declined to enter into any such arrangement, on the ground that it had no authority to do so" without the assent of those individuals entitled to share the indemnity " [50] and on March 3, 1835, an " act to authorize the Secretary of the Treasury to compromise the claims allowed by the commissioners under the treaty with the King of the Two Sicilies, concluded

[45] 25th Congress, 2d session, Serial 317.
[46] *Ibid.*, 75-76.
[47] 44th Congress, 2nd session, Serial 1720, pp. 59, 104.
[48] Department of State, 1 Despatches, Italy: Naples, No. 6, Jan. 20, 1834, enclosure.
[49] Department of State, 1 Notes from the Neapolitan Legation; 5 Notes to Foreign Legations.
[50] *Ibid.*, 197, March 17, 1834. See also Richardson, *op. cit.*, III, 98.

October 14, 1832," failed to become a law because of the veto of President Jackson, who stated his reasons in his message as follows:

I respectfully return to the Senate, where it originated, the "act to authorize the Secretary of the Treasury to compromise the claims allowed by the commissioners under the treaty with the King of the Two Sicilies, concluded October 14, 1832," without my signature.

This act is, in my judgment, inconsistent with the division of powers in the Constitution of the United States, as it is obviously founded on the assumption that an act of Congress can give power to the Executive or to the head of one of the Departments to negotiate with a foreign government. The debt due by the King of the Two Sicilies will, after the commissioners have made their decision, become the private vested property of the citizens of the United States to whom it may be awarded. Neither the Executive nor the Legislature can properly interfere with it without their consent. With their consent the Executive has competent authority to negotiate about it for them with a foreign government—an authority Congress cannot constitutionally abridge or increase." [51]

On December 23, 1835, the Consul General of the Two Sicilies communicated to the Secretary of State documents stated to contain the consents and signatures of most of the claimants interested in the convention of indemnification with the Two Sicilies with regard to a single payment of 1,500,000 Neapolitan ducats in the month of February 1836, in lieu of the seven instalments, aggregating 1,645,000 ducats principal, which then remained to be paid. Five days earlier (December 19, 1835) Signor Morelli had communicated an extract from his instructions, as evidencing his power to treat; these were rather vague as to the amount of reduction authorized to be accepted. Although a definite agreement was signed on December 26, 1835,[52] it was not approved by the Government of the Two Sicilies. On May 16, 1836, Secretary of State Forsyth was informed of this action by a note from Consul General Morelli.[53] The note merely stated that the King could not approve the revised project of December 26, 1835, since he had already issued a decree by which he ordered the immediate

[51] Richardson, *op. cit.*, III, 146. Meanwhile on June 8, 1835, the second instalment had become due and was promptly paid. This left 1,645,000 ducats of the original indemnity. President Jackson saw fit to include a word of praise for Naples' promptness in payment in his seventh annual message to Congress, December 7, 1835. "The instalments," he said, "due under the convention with the King of the Two Sicilies have been paid with that scrupulous fidelity by which his whole conduct has been characterized." Richardson, *op. cit.*, III, 149.

[52] Treaty Series No. 362.

[53] Department of State, 1 Notes from the Neapolitan Legation.

payment to the Government of the United States of four-fifths (4/5) of the sum agreed upon in the convention of 1832, if the persons interested in the claims preferred to abbreviate the terms of the convention. Therefore, Mr. Morelli added, his Government proposed to continue to pay the annual installments with the respective interests, and if the claimants desired to receive quickly the balance of four-fifths, which according to an enclosed statement amounted to 1,222,000 ducats, they had only to demand it from the Royal Neapolitan Treasury through the agents of the United States.

A new proposal of the Government of the Two Sicilies was submitted, but this offer came after the payment of the third instalment of the indemnity with interest, to commute the remaining six instalments, or 1,410,000 ducats, for a single payment of 987,000 ducats, a reduction of only 30 per cent. The answering note of Secretary of State Forsyth of May 24, 1836,[54] made no reference to that new proposal, but referred only to the statements that the convention of December 26, 1835,[55] had not been approved by the Government of the Two Sicilies and that the third instalment of the indemnity would be paid with interest on the following June 8. The payments of the indemnity accordingly proceeded pursuant to the terms of the convention of October 14, 1832, and were made in each year up to 1842, when the ninth instalment was paid.

[54] Department of State, 6 Notes to Legations of Italian States, 18.

[55] This agreement had been printed in various treaty collections without mentioning the fact that it had not been approved by the Neapolitan Government.

BENJAMIN FRANKLIN AND THE MARYLAND GAZETTE

By Alfred Owen Aldridge

Students of early Maryland literature are indebted to Benjamin Franklin for preserving the first three numbers of "The Plain-Dealer," a series of essays initially published in the *Maryland Gazette*. Had it not been for Franklin, these essays would probably have been lost forever. The earliest issue of the *Maryland Gazette* now known to exist is No. 65, December 3-10, 1728, which contains the fourth number of "The Plain-Dealer."[1] Franklin preserved nine numbers of "The Plain-Dealer" (the first three of which are unavailable elsewhere) by reprinting them in his own newspaper, the *Pennsylvania Gazette*, along with some poetry and other items from the *Maryland Gazette*.

"The Plain-Dealer" essays are significant primarily because of their outspoken deism in a period which scholars have regarded as almost uniformly orthodox.[2] They are among the first openly deistical works to be printed in America, and they may even have the distinction of being the first.[3] These essays are interesting moreover, because of the insight they give into colonial journalism. The first two numbers in particular discuss style and editorial policies. The poetry which Franklin reprinted has less

[1] A photostat set of all the known issues of the *Maryland Gazette* was made in 1925 by the John Carter Brown Library. A list of the libraries holding this set is found in Clarence S. Brigham, *History and Bibliography of American Newspapers 1690-1820* (Worcester, 1947), I, 219.

[2] No adequate study of the beginnings of deism in America has yet been made. Merle Curti in his *The Growth of American Thought* (New York, 1943), p. 110, tells us that by 1740 deism was winning recognition, but, on the other hand, John Wesley regarded it as startling that in 1737 he should discover a man in Savannah with brashness enough openly to avow himself a deist. Herbert M. Morais, *Deism in Eighteenth Century America* (New York, 1934), mentions no American deist before Franklin, and except for Franklin presents no concrete evidence of deism before 1740.

[3] They preceded by a few weeks Samuel Keimer's deistical extracts in the *Pennsylvania Gazette* before Franklin became editor. Keimer's deism is discussed by C. E. Jorgenson in "A Brand Flung at Colonial Orthodoxy. Samuel Keimer's 'Universal Instructor in All Arts and Sciences,'" *Journalism Quarterly*, XII (September, 1935), 272-77.

historical significance, but it is of interest to twentieth-century readers because of its power to evoke some of the color of the colonial period.

In the colonies as well as in England, editors enlivened the sometimes dull and scantily-supplied columns of their newspapers with bright literary essays modelled on the plan of the *Spectator* papers of Addison and Steele. Franklin had contributed a series known as "The Dogood Papers" to his brother's newspaper, the *New England Courant*, in 1722, and a shorter series, "The Busy-Body," in 1729 to Andrew Bradford's *American Weekly Mercury* in Philadelphia. One might think that he would have continued this literary activity in his own newspaper, but when he acquired control of the *Pennsylvania Gazette* in September, 1729, he confined himself at first to news and materials printed at second-hand from other sources. The *Pennsylvania Gazette* was established December 24, 1728, by Samuel Keimer, a little more than a year after the *Maryland Gazette* appeared, the first number of which was printed by William Parks, it is believed, on September 19, 1727.[4] For at least the first year after Franklin became editor of the *Pennsylvania Gazette*, there appeared not a single article which can be conclusively identified as Franklin's, and Franklin at no time wrote for the *Gazette* a series comparable to the "Dogood Papers" or "The Busy-Body." Instead he contented himself with reprinting the first nine numbers of "The Plain-Dealer" from the *Maryland Gazette*.[5]

Franklin was undoubtedly attracted by the deism of "The Plain-Dealer" and by the prospect of printing a series of essays designed particularly for the benefit of colonial readers. He had witnessed the appeal of indigenous literature with the success of his "Dogoods" and "Busy-Bodies" and perhaps thought that the "Plain Dealers" would be even more favorably received. He also found in the "Plain-Dealers" a favorite doctrine of his own—the superiority of works in English over those in the classical languages.

"The Plain-Dealers" are ostensibly essays sent to the editor

[4] Brigham, *op. cit.*, I, 219.

[5] We do not know the dates on which the first three numbers of "The Plain Dealer" appeared in the *Maryland Gazette*, but the last seven appeared December 3, 10, 17, 31, 1728; January 7, 14, February 4, 1728/29. The first nine "Plain-Dealers" appeared in the *Pennsylvania Gazette* April 2, 9, 23, May 7, 14, 28, June 4, 11, 25, 1730.

by a correspondent. Possibly this is their actual source, but they may very well have been written by the editor of the *Maryland Gazette* himself, William Parks. It was customary in eighteenth-century journalism for editors to write letters to themselves under various pseudonyms.

William Parks, born in England about 1698, served as public printer in Annapolis from 1727 to 1737.[6] In addition to establishing the *Maryland Gazette*, the first newspaper south of Pennsylvania, he founded the Williamsburg *Virginia Gazette* in 1736. With the encouragement and aid of Franklin, he built in 1743 the first paper mill south of Pennsylvania. Although " The Plain-Dealers," as we shall see, failed to fulfill their promise of fostering indigenous literary activities, Parks as editor did what he could to encourage poetry in the colonies. Richard Lewis, whom I shall discuss later in this article, had at least one of his poems published first by Parks and later by Franklin.

Franklin in reprinting " The Plain-Dealers " represented them at first as original contributions, for whenever the author referred to the *Maryland Gazette*, Franklin substituted *Pennsylvania Gazette*. After the last essay that he reprinted, however, Franklin added the note:

> The foregoing nine Plain-Dealers were written by a Gentleman in Maryland, and first published there, in the *Maryland Gazette*; they have only suffered some trivial alterations, which were necessary to make them suitable for a Publication here.

The Plain-Dealer in his first essay suggests that the readers of the *Gazette* be given, in addition to colonial and foreign news, abstracts from good authors " to inspire them with a Love for sound and close Reasoning, from such Principles only, as are evidently true." By this means, they will be made acquainted with " the Imployments of the polite, as well as the busy Part of their Species; with Matters antient and modern, natural, civil, and religious, with Things domestick and publick, with animate and inanimate Nature." Most important of all, readers will be led " into a Knowledge of themselves " by being excited " diligently to observe and study the Operations of their own Minds." The wide acquaintance with men and things which will be imparted will secure every man henceforth from " perpetual Admira-

[6] *Dictionary of American Biography*, XIV, 250-251.

tions and Surprizes, and guard him against that Weakness of ignorant Persons, who having never seen any thing beyond the narrow confines of their own Dwellings, wonder at every thing that is new or strange to them." This knowledge may be imparted without tedious study, moreover, since literary works may be interspersed in the columns of the gazette throughout the year. The editor himself need not be at any trouble in learning difficult languages to acquire material since English authors provide a sufficient storehouse of learning and amusement, for " many Persons, from a good Choice of *English* Authors, with the Assistance of their own natural Parts, reason and discourse more pertinently on many weighty Topicks, than several pompous Scholars who are Masters of the learned Languages, and have read over many bulky Folios of Science; the Result of all their ill-digested Studies having furnished them with little more than the Knowledge of what other Men think in controverted Points, and a Habit of magisterially imposing on their Hearers what they themselves do not understand." In keeping with this principle, the Plain-Dealer urged that care be taken to abstract only from writers who expressed themselves in the clearest manner so that persons who have not been trained to use jargon of the schools may be able to philosophize with a moderate application of mind. The editor should not be governed by custom, fashion or party, and should never countenance falsehood. His subscribers, after following such a course of reading, may lay aside the gross prejudices of life for the sake of virtue and truth. This conclusion delicately approaches the theme of some of his later essays—the value of a healthy scepticism about accepting philosophical and religious doctrines.

In his second essay the Plain-Dealer offers to assist the editor in making collections like those described in his first paper. He professes to serve as a collector rather than an author and says that he will not hesitate to transcribe whatever he finds suitable from other sources. This leads him to make a few observations concerning the status of letters in the colonies. It requires resolution and fortitude to set up for an author in a country such as this, he asserts, for the literary man immediately becomes a mark of public censure and ridicule. Men of action, not only in America, but universally, receive the greatest applause from contemporaries, whereas men of speculation receive their due from posterity. These

thoughts are introduced to illustrate " the Difficulty of commencing Author, and the Benefits which a Community may receive from such Persons as are instrumental in raising up a Spirit of Good Sense, and a Desire of Knowledge among its Numbers." The Plain-Dealer concludes with a specific account of the methods he proposes to follow in compiling future essays:

> I shall spare for no Pains, to make the Thoughts I publish, agreeable and useful, that those who read them, may at once receive Instruction, and Diversion. Having once for all confessed that these Papers will frequently consist of Collections, the Reader need not expect any further Acknowledgment of that Sort: My chief Ambition is, to convey Knowledge to those who have not Leisure to procure it from Variety of Books; and to lay before the Publick, such Hints, that the Learned themselves may perhaps, by their Means, reflect on what they knew before, and sometimes meet with an *Original Piece*. . . . If I do not name my Authors, it is not to rob them of their Reputation, but to give my critical Readers an Occasion to exert their Judgment upon Stile.

These two essays are important in colonial literature as a manifesto of practical journalism, revealing a short and easy method for writing periodical essays. The chief weakness of the method is that it stifles originality. If the editor collects the best of his reading in some of his columns and presents original material in others, both he and his readers are likely to develop intellectually. If he bases his writing exclusively on his reading or confines himself to extracting from other works, however, only his readers will benefit. The Plain-Dealer followed the latter method in all but these first two papers, as did Franklin in some of his essays for the *Pennsylvania Gazette*. In his most successful literary achievements, however, Franklin used original material from his own experience.

In relation to Franklin's later career, the literary manifesto of the Plain-Dealer is most important in insisting on the principle that one may discourse more pertinently on weighty topics by reading English authors than by mastering the learned languages. Throughout his life, Franklin stressed the practical importance of teaching English as opposed to the classical languages, and in his *Observations Relative to the Intentions of the Original Founders of the Academy in Philadelphia* (1788), he took a position much like that of the Plain-Dealer, arguing that with the development of cheap printing all branches of knowledge came to be communi-

cated by the common tongues. Hence Franklin regarded the still prevailing custom of providing schools of Latin and Greek " in no other light than as the *Chapeau bras* of modern Literature." [7]

We do not know whether the Plain-Dealer ever carried out his purpose of creating original pieces, for all of the other numbers preserved are copied almost verbatim from an English periodical *The Free-Thinker*, published in London from 1718 to 1721. Franklin was probably unaware that he was using material at third hand, and, so far as I know, the English source of *The Plain-Dealer* has not been noted before the present article.[8]

The emphasis in the only two original essays on the capacities of the ordinary man in opposition to the pompous learning of pedants was a deistical tendency, and in the subsequent essays extracted from *The Free-Thinker*, particularly those on philosophical doubting, the Plain-Dealer converted this tendency toward deism into an outspoken advocacy of its essential principles. That deism was likely to offend colonial communities has already been widely noticed. Perhaps Maryland was less sensitive on this score than the other colonies, although Franklin himself did his share of proselytizing for deism in the *Pennsylvania Gazette*. He reprinted several essays from the *London Journal* with Shaftesburian and Hutchesonian principles as well as openly advised free enquiry on all hands by reprinting " The Plain-Dealer's " (or " Free Thinker's ") comments on philosophical doubting.[9]

Some discussion of these essays is necessary to explain their appeal to William Parks, the publisher of the *Maryland Gazette*, and to Franklin. Captious critics may otherwise accuse them of

[7] A. H. Smyth, ed., *Writings of Benjamin Franklin* (New York, 1907), X, 34.

[8] Elizabeth G. Cook in *Literary Influences in Colonial Newspapers, 1704-1750* (New York, 1912), a work which is not very reliable on either the *Maryland Gazette* or on Franklin, discovered that the fourth number was taken from " The Free-Thinker," but she apparently discovered this without leafing through the rest of the periodical; had she done so she would have found the source of the other " Plain-Dealers " (Nos. 3-10).

[9] Anthony Ashley Cooper, Lord Shaftesbury, combined Platonism and deism in his *Characteristics* (London, 1711), a work which was widely known as " the deists' Bible." It was instrumental in converting Franklin to deism and even favorably impressed Ezra Stiles before he became aware of its heterodox tendencies. Francis Hutcheson, one of Shaftesbury's most distinguished disciples, based his *Inquiry into the Original of our Ideas of Beauty and Virtue* (London, 1725) on the esthetic theories of Shaftesbury. The *London Journal*, to which Hutcheson contributed, frequently expressed Shaftesburian ethical concepts. For Franklin's relations to the *London Journal*, see A. O. Aldridge, " Franklin's ' Shaftesburian ' Dialogues Not Franklin's. A Revision of the Franklin Canon," soon to appear in *American Literature*.

bad judgment. In the first essay on philosophical doubting, the essayist jumps from a sanction of the Cartesian method of "Doubting of everything" to the easy assurance that "Common Sense" will not let us doubt the truth of such propositions as that 2 and 2 make 4.[10] To jump from universal scepticism to acceptance of mathematical truths without going through intermediate stages is very unphilosophical, but not neecssarily inconsistent. If the author were writing a philosophical treatise, he would feel obliged to take us step by step, as Decartes had done previously, from universal scepticism to rational acceptance of certain truths. But since he aspires to merely a broad and popular treatment of epistemology, he omits this process. His primary purpose is to unseat superstition and implicit faith and to substitute reasoned belief for blind belief. In his next essay he may appear to exempt the great truths of religion, morality and virtue from his recommendation of "a manly freedom of thought," but he actually does no such thing.[11] He says merely that a consistent habit of scepticism will pare essential beliefs to a necessary minimum, but that this process is confused and retarded by empty speculation and refinement. "The Great Truths of Religion, of Morality, and of Politicks . . . come within a narrow Compass; and may be apprehended by a Plain Capacity," but the refinements of these topics, introduced into the world by speculative men, "do not improve, but confound the People," and hence to study them is at best a solemn idleness. "The Knowledge of them is not Necessary (and very often Pernicious) to the Bulk of Mankind."

The last paper on this subject extracted by the Plain-Dealer consists of a letter ostensibly from a reader of the series, dividing the subjects of doubting into three groups, art and science, commerce and industry, and morality and religion.[12] The writer points out that doubting has always been practised in regard to the first two groups, but morality and religion are the subjects on which we are averse to truth and indeed skillful to contrive our own deception. After asserting the basic principle of free inquiry, that truth will bear being viewed on every side and in every light, he concludes by urging that religion be not exempt. Here he reveals that he is following such thinkers as Bayle, Shaftesbury,

[10] "Plain-Dealer," No. 3; "Free-Thinker," No. 48.
[11] "Plain-Dealer," No. 5; "Free-Thinker," No. 50.
[12] "Plain-Dealer," No. 9, "Free-Thinker," No. 53.

and Anthony Collins in advocating scepticism primarily to combat dogmatism and superstition in religion. To print such essays may be deemed rather a bold beginning for colonial Maryland. Subsequently, Parks selected for No. 7 of *The Plain-Dealer*, No. 34 of the *Free-Thinker*, which condemns superstition as the arch adversary of true religion, a favorite theme of all deists, including Franklin.[13]

Of the numbers of *The Plain-Dealer* not concerned with religion, two are dream visions of the type made popular in the *Spectator* by Addison.[14] No. 4 is a paraphrase of Chaucer's *Man of Law's Tale* (No. 80 of the *Free-Thinker*), and No. 8 is a particularized rendering of a conventional allegory of virtue and vice (No. 73 of the *Free-Thinker*).

Another number of *The Plain-Dealer* dealing with a conventional theme is No. 6 (No. 63 of the *Free-Thinker*). This concerns the parallel between poetry and painting introduced by the standard motto, *Ut Pictura Poesis erit*. Although the paper has only limited intrinsic value, it is historically important as one of the first purely esthetic essays published in an American periodical.

The only one of the numbers of *The Plain-Dealer* now accessible which Franklin did not reprint is one written on the anniversary of the execution of Charles I, and hence a political essay written from a quite conservative point of view on the dangers to society when the multitude get out of hand.[15] To be sure the author asserts that the errors of the people are justly to be charged upon the leaders whose authority carries the vulgar into mistakes which they would otherwise avoid, but his tone is unmistakably undemocratic. "A very little Reflection will convince a Man," he asserts, "that the Bulk of any People are always *fond* of the

[13] Parks' role as a pioneer American deist must be emphasized. Before 1728, Franklin's only deistical work had been published in England and had had no influence in the colonies. "The Plain-Dealers" are the first deistical works published by Franklin in the *Pennsylvania Gazette* with the possible exception of an account of Thomas Woolston's trial extracted from the *Political State of Great Britain* (March 19 and 26, 1730). There were a number of deistical articles extracted from English periodicals published in the *Pennsylvania Gazette* before Franklin became editor (December 1, 1728–September 18, 1729), but these were all antedated by "The Plain-Dealers" in the *Maryland Gazette*. Parks, in his printing business, however, like Franklin, handled almost anything that would sell. It is no surprise, therefore, to notice in an advertisement in the *Maryland Gazette* of May 24, 1734, his reprint of a famous English anti-deist work, Charles Leslie's, *A Short and Easy Method with the Deists*, first published in London in 1698.

[14] *Spectator* No. 159, "Visions of Mirza," and No. 604, "Vision of Human Misery," are well known examples.

[15] "Plain-Dealer," No. 10; "Free-Thinker," No. 90.

Form of Government to which they have been long accustomed." Hence the heads of the Parliamentary parties were acting a foolish part in attempting to form a commonwealth. Although the author concludes with a praise of the Glorious Revolution, he bases his praise on the principle that " every Expedient proposed to remedy any growing Mischief in a State is more Excellent, the *smaller*, or rather the more *Imperceptible* Changes it makes." It is interesting to speculate whether Franklin deliberately left out this essay because even this early in his career he had arrived at a liberal point of view. Certainly the political essays he did print contained sentiments more agreeable to the wing of the Whig party which exalted liberty over stability. Perhaps Franklin was not conscious of political issues at all, on the other hand, but omitted the essay merely because of the date. The anniversary of Charles's death is January 30, and Franklin reprinted " The Plain-Dealer " in April and May.

Franklin's borrowing from the *Maryland Gazette* did not stop with The Plain-Dealer. In the *Pennsylvania Gazette* for May 20, 1731, appears an essay on Prometheus distributing moral characters to mankind. This essay had appeared in the *Maryland Gazette* for March 4, 1728/29. This time Parks was more candid than Franklin, for Parks plainly announces that the piece is " taken from a Pamphlet entitled ' The Intelligencer,' Dublin, 1728 "; whereas Franklin makes no acknowledgment of any kind. The provenance of this essay is important primarily because *The Intelligencer* was conducted by Jonathan Swift and Thomas Sheridan, and the essay on Prometheus is usually attributed to the great satirist.

Franklin drew upon the *Maryland Gazette* for poetry also. One of his most interesting lyrical extracts is " Verses on St. Patrick's Day: Sacred to Mirth and Good-Nature," which appeared in the Maryland Gazette, March 10-17, 1929-30. Although the title leads us to expect a Catholic poem, this work is entirely deistical. The poet commends St. Patrick for his good nature in freeing Ireland from its poisonous snakes instead of cursing it for its infidelity, and he exhorts the reader to emulate St. Patrick's good nature by practicing a universal religious toleration and good will. He concludes by recommending mutual love to all the universe, not only to particular sects:

As *one great City* was the *Earth* design'd,
As *Fellow-Citizens* are all *Mankind*;
Who ALL have *Right* to *Kindness* and *Good-Will*,
Which should on ALL, like silent Dews distil;
Whether they're White, or Black, or Bond or Free,
Of Whatsoever NATION they may be,
Nay, tho' they in RELIGION disagree.

In the *Maryland Gazette*, the poem is subscribed "March 16, 1729-30. Somerset English." This probably means that the poem was submitted on the day preceding publication by a Somerset Englishman. It is possible, of course, that the poem was published even earlier in England, but the line "Whether they're White, or Black, or Bond or Free" suggests the new world, and the advocacy of religious toleration suggests Maryland. The latter quality is undoubtedly that which recommended the poem to Franklin. He makes no mention of the *Maryland Gazette*, however, but subscribes merely, "March 16. PHILANTHROPOS." This unacknowledged borrowing was widespread throughout England and the colonies and bore no taint of plagiarism or failure to give due credit.

The poem on St. Patrick's Day is found in one of the issues of the *Maryland Gazette* available today. That Franklin took other verses of equal merit from one of the issues now nowhere else to be found (December 30, 1729) is more important to us at the moment. They are entitled "To *Mr.* Samuel Hastings (Shipwright of Philadelphia) *on his launching the* Maryland-Merchant, *a large Ship built by him at* Annapolis," and they appeared in the *Pennsylvania Gazette*, January 6, 1730. In this work the poet shows remarkable ingenuity. In a short history of shipbuildings, he traces the progress of the art from the unwieldy floats of Adam's offspring, to the ark of Noah. Then he describes some of the masters of the craft—Daedalus, who (according to this poet) invented sails, and Jason, whose ship brought freedom to the Greeks.

To Ships, we owe our Knowledge, and our Trade,
By them defend our own, and other Realms invade.
Without their Aid, *America* had been
To all, except its Natives, now unseen:
Her Trees whose stately Tops to Heaven aspire,
Had fall'n a Prey to Worms, or fed the Fire,

Which now with Pleasure shall forsake their Woods,
And fly to distant Lands o're deepest Floods,

* * * * * * *

What Nature has to Maryland deny'd,
She might by Ships from all the World provide.

After these general subjects, the poet praises Hasting's vessel, which has been two years building, and prophesies world cruises for its future. Then prophecy gives way to retrospection. The bard describes a vision which came to him one moonlit night as he stood on the vessel's deck in drydock. Through the good offices of the Muse, a Triton appears to prepare the way for Chesapeake, ruler of the Bay. The latter emerges majestically, followed by his court, Severn, Patuxent, Chester, Patapsco, Sassafras and Susquahana. The monarch then addresses the assembled figures in a flood of oratory in which praise of Hasting's vessel is blended with denunciation of sharp practices of English businessmen.

Tell them, the Factors whom they now employ
In *Britain's* Isle their Interest betray;

* * * * * *

To ruin *Maryland* they now unite
In monstrous Leagues of amicable Spight.

Father Chesapeake and the Muse conclude by advising Maryland planters either to select one of their own number to carry on their commercial transactions in London, or to declare a year's embargo on tobacco in order to bring the English merchants to terms. Apparently Maryland planters were not getting a high enough price for their "sinking Staple," tobacco, and the poet suggests that the dishonesty of English traders is responsible.

Although this poet cannot rise to Goldsmith's level of the poetic treatment of economic problems in *The Deserted Village*, the more conventional parts of his work reveal a deft use of language. Certainly not equal to Goldsmith, the writer is, nevertheless, a poet.

On the basis of a letter in the *Pennsylvania Gazette*, we may tentatively assume him to be Richard Lewis, schoolmaster at Annapolis. Lewis is considered to be Maryland's earliest classical scholar and first scientific observer. Early in 1728/29, he published in Annapolis a translation of Edward Holdsworth's Latin

poem *Muscipula*, an imitation of Homer's *Batrachomyomachia.* Lewis dedicated his poem, considered to be the first literary product of the Maryland press, to the governor of Maryland, Benedict Leonard Calvert.[16] The poem on ship-building was published only a few months after Lewis's *Muscipula.* If not the first poem published in Maryland, it may be the first published in Maryland on a Maryland theme.

The letter which suggests that Lewis was the author of this poem appeared in the *Pennsylvania Gazette*, November 28-December 5, 1734. Addressed to Franklin, it castigates an elegy on Lewis's death written by W. Byfeild, " late of New-Castle upon Tine ":

> As you are acquainted with the Character which Mr. Lewis has left behind him among People who have a true Taste for Learning, and have reprinted several of his beautiful Pieces of Poetry, I think you a fit Person to communicate the reflections to, that I made upon perusing the underwritten ELEGY.

The writer felt at first that he should compare the elegy to the ill success of Aesop's ass, who seeing the kind usage received by a dog, determined to imitate him by fawning and jumping upon his master. After some consideration the writer relaxed his severity, however, on the grounds that a man is more to be commiserated than chastised who writes bad poetry out of affection to a deceased friend. Hence he suggests an expedient by which men who scribble out of either affection or poverty may receive an ample reward without exposing their work to permanent dishonor by publication. A Public Office should be set up in each province for the consideration of all poetry. That which is deserving of praise should be republished, and that which is poor but well intended should get paid for in cash, noted in an advertisement, and then promptly locked up.

We are likely to commend this scheme when we read Byfeild's effusions printed by Franklin in the same issue.

> An ELEGY on the much to be lamented Death of Mr. RICHARD LEWIS, late Master of the Free-School of the City of ANNAPOLIS.

[16] Bernard C. Steiner, " Benedict Leonard Calvert, Esq. Governor of the Province of Maryland, 1727-1731," *Maryland Historical Magazine*, III (December, 1908), 340. *Muscipula* has been reprinted in *Early Maryland Poetry*, Maryland Historical Society Fund Publication, No. 36 (Baltimore, 1900), pp. 58-102. Lewis's scientific activities are described in a note by Bernard C. Steiner in *Maryland Historical Magazine* V (March, 1910), 71-72.

This City's lost their Pedagogue of Art,
More exquisite than any in this Part.
As to his verifying Parts, I may,
Without Presumption, absolutely say,
He was a Second MILTON, and could chime
In lofty Strain, when he was pleas'd to Rhime.

After eleven other lines of equal merit, Byfeild adds the following epitaph:

O Cruel Fate, could'st thou not miss!
But strike with Death, our RARE LEWIS!
Could'st thou not have struck at me.
And sent me first to Eternity?
That he might've made my Elegy,
. . . Not I his.[17]

This does not entirely exhaust the list of Maryland-inspired poetry in the *Pennsylvania Gazette.* In the issue of May 13, 1730 (No. 131), by Rev. Richard Lewis "A Journey from Patapsco to Annapolis," as clumsy and obtuse as Byfeild's elegy and much more tedious. It is so bad that it will not bear the repeating of a single line. Yet Franklin apparently thought well enough of it, for he reprinted it as a serious literary work, not as a parody. We need no other evidence that the letter above ridiculing Byfeild was not of Franklin's own composition, but was written by a correspondent of poetic sensibilities.[18]

In concluding this survey of colonial literary exchanges, it is important to notice that all the borrowing we know of is from the *Maryland Gazette* by the *Pennsylvania Gazette.* The only exception to this one-sided relationship is the printing by the *Maryland Gazette*, July 15-22, 1729, of "A Modest Enquiry into the Nature and Necessity of a Paper Currency," a tract written by Franklin before his association with the *Pennsylvania Gazette.* The evidence that Franklin was the debtor rather than the creditor of the Maryland periodical shows that Franklin had real respect for the literary taste of Parks and that he considered the *Maryland Gazette* to be at least the equal of his own enterprise.

[17] Yet the ridicule of Byfeild is parallel to one of Franklin's earliest literary efforts, mock criticism and praise of a New England funeral elegy in No. VII of the "Dogood Papers."

[18] This poem was reprinted in the London *Weekly Register or, Universal Journal,* April 7, 1733 and is ascribed to Richard Lewis. Other printed works of Lewis are: *Carmen Seculare* [Annapolis, 1732] and *A Rhapsody* [Annapolis, 1732].

DRUID HILL, COUNTRY SEAT OF THE ROGERS AND BUCHANAN FAMILIES

By Edith Rossiter Bevan

Although many Baltimoreans know that Druid Hill was the name of the old Rogers estate which the City of Baltimore purchased in 1860 for a public park, comparatively few people today realize that the present Mansion House in the park is actually the residence, much altered, which Colonel Nicholas Rogers designed and built in 1801.

The Park Commissioners appointed by Mayors Swann and Chapman in the early 1860's did not foresee the day when a fine house of the early Federal period would rank in interest and importance with Mount Clare, the home of Charles Carroll, Barrister, now carefully restored and preserved in Carroll Park.[1] In their zeal they altered the old Rogers mansion almost beyond recognition to meet the needs of the park at that time.

They employed Mr. Howard Daniels, landscape gardener and engineer, at $10 a day and expenses to make a survey of the property and to lay out the drives, walks, lakes and other features in the park.[2] His admirable plan necessitated the destruction of the famous orchard of nearly 40,000 pear trees planted by Lloyd Nicholas Rogers which must have rivaled the cherry trees of Washington, D. C., when in bloom, but he made Druid Hill Park one of the ranking parks of America. Daniels' first report to the commissioners in 1861 stressed the need of providing a shelter to protect the throngs of visitors from sudden summer storms. The commissioners decided it would be cheaper to convert the Rogers dwelling into a "pavillion" than to erect a building for that purpose.

[1] The commissioners were George William Brown, John H. B. Latrobe, William E. Hooper, Robert Leslie, and Columbus O'Donnell. *First Annual Report of the Park Commission*, [Baltimore, 1861?].

[2] "Mr. Daniels had had charge in this country of similar undertakings and had made the parks of Europe his especial study." *Ibid.* He was chosen two years later to design the grounds at Vassar College, New York, and was succeeded in 1863 by August Faul, general superintendent and engineer.

The low first story of Druid Hill, which was flush with the ground, was converted into the basement of the present Mansion House. This first floor during the occupancy of the Rogers family contained seven rooms, we learn from the *Reports* of the Park Commissioners, 1861-64. The second or main story of the dwelling which had five large rooms became the first floor of the Mansion House. This floor they entirely surrounded by porches, twenty feet wide, which were reached by long flights of steps. Beneath the porches arcades eight feet high were built where sandwiches and soft drinks were sold to the hungry, thirsty crowds which visited the park. The porches and arcades provided shelter for nearly two thousand people. The gently sloping lawn in front of the house was partly filled to make a wide terrace on which the arcades opened.

The commissioners decided that one large and well proportioned hall would " greatly enhance the convenience as well as the architectural attractiveness of the building." This was accomplished by removing the partitions between the two parlors and the wide center hall in the main story of the dwelling. The low attic over the central portion of the house was enlarged; the roof was raised and a belvedere which crowned the building was added. " The Mansion assumed an appearance imposing and effective, in excellent taste and at comparatively small cost," but the ancestral home of the Rogers family was destroyed in the process.[3]

Druid Hill, the home which Lloyd Nicholas Rogers sold to the City of Baltimore, was the third house built by the Rogers-Buchanan family on land the Rogers family had owned since 1716. Records show that thirteen years before the Town of Baltimore was laid out, Nicholas Rogers, II, bought for £50 sterling 200 acres of a tract called " Hab Nab at a Venture "—now part of the Park.[4] Dying in 1720, he left this property to his eldest daughter,

[3] John E. Semmes, *John H. B. Latrobe, His Life and Times, 1803-1891,* (Baltimore, 1917), p. 444. Mr. Semmes quotes Mr. Latrobe: " From time to time I have dabbled somewhat in architecture . . . I designed . . . the Gateway at Druid Hill Park, the Office near the gateway, the Rotunda and the addition to the old Mansion. The details of these structures were the work of Mr. Frederick." George A. Frederick was architect of the present City Hall, completed in 1875. " Mr. Latrobe was president of the Park Board from 1860-1891. . . . He always looked upon the park [Druid Hill] as his particular property. Few things were done without his approval." *Ibid.*, p. 556.

[4] Much of the information about the early history of the Rogers and Buchanan families and their properties has been taken from *Public Parks of Baltimore, No. 3,* compiled for the Board of Park Commissioners, 1928, by J. V. Kelly, to whom all credit and many thanks are given.

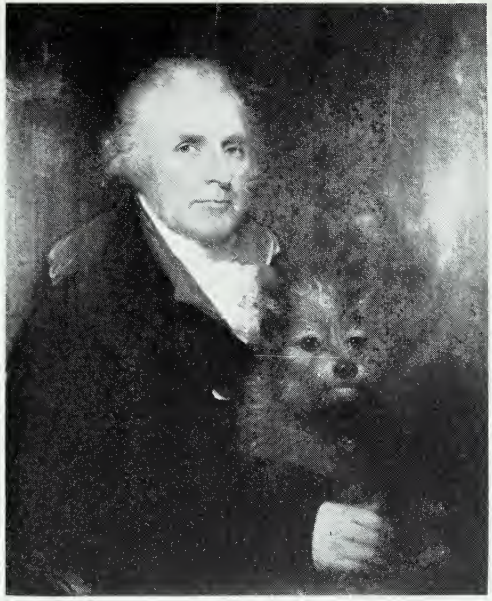
Eleanor, who married the Scotch born physician, George Buchanan. Dr. Buchanan continued to add to this property until he owned nearly 600 acres. He called his estate Auchentorolie after a family estate in Scotland. On it he built a modest dwelling for his family of six sons and four daughters. This home stood " far west of the mansion house " and was one of the oldest houses in Baltimore County, if not in Maryland, as claimed by Dr. Allen Kerr Bond in his chapter on Baltimore parks in Clayton C. Hall's *Baltimore, Its History and Its People*, published in 1912. It stood near the family burial ground which remains untouched in the northwest section of the Park. The house which was listed as the " Old Colonial house " in the inventory of Druid Hill Park made by the Park Commissioners in 1860 was at that time " much decayed." After repairs it was occupied by one of the foremen employed in laying out the Park and in 1868 it was torn down. Fortunately, a photograph of this house taken probably in 1860, has survived and is owned by Mr. Edmund L. R. Smith, a descendant of the Rogers and Buchanan families.

Dr. Buchanan died in 1750 and was buried in the family graveyard where his tombstone may still be seen. Mrs. Buchanan died eight years later, a few months after the birth of her granddaughter, another Eleanor, only child of her oldest son Lloyd, who inherited Auchentorolie. He died a widower in 1761 and left the estate to his three-year-old daughter. Eleanor Buchanan was brought up by her maternal grandmother, Mrs. Alexander Lawson, Sr., in Baltimore, but her estate was kept in its entirety and was cared for by Buchanan slaves until after the close of the Revolutionary War.

On June 19, 1783, Eleanor Buchanan (1757-1812) married Col. Nicholas Rogers (1753-1822) who was her first cousin once removed. Col. Rogers' father, Nicholas, III, was a much younger brother of Eleanor Rogers who married Dr. Buchanan. By this second marriage between the families the estate returned to the Rogers family, owners of the original nucleus of the property.

Col. Rogers at the time of his marriage was a prominent citizen and merchant of Baltimore Town. After graduating from Glasgow University in 1774 he traveled in England and was in Paris when the Revolutionary War began. He served as aide-de-camp to General Ducoudray and later to Baron de Kalb. After his return to Baltimore in 1780 he served on the Committee of

COLONEL NICHOLAS ROGERS
1753–1822
in the uniform of a Revolutionary officer
By Charles Willson Peale
Courtesy Mrs. R. H. Plant McCaw



COLONEL NICHOLAS ROGERS
1753–1822
Painted by Charles Wesley Jarvis
Courtesy Mr. E. L. R. Smith

REAR VIEW OF DRUID HILL MANSION FROM THE NORTH

Lithograph from drawing by J. R. Murray, son-in-law of the owner-architect.

Courtesy Mr. E. L. R. Smith

DRUID HILL ABOUT 1860

View from the south, apparently after the alterations had been started. The entrance front is at right.

Courtesy Mr. E. L. R. Smith

AUCHENTOROLIE MANSION (?)

This photograph in Mr. Smith's possession is inscribed on the back "Old Colonial House, Druid Hill." The house was pulled down in 1868.

Courtesy of the owner.

Defense and was given the honorary rank of colonel for his services to Silas Deane, American Commissioner in Paris. He became a member of the City Council, judge of the Orphans Court and one of the justices of the Criminal Court.

Col. Rogers was an organizer of the Society for the Encouragement and Improvement of Agriculture in Maryland, formed in 1786. Throughout his life he was much interested in improving and beautifying his estate which he renamed Druid Hill. J. Thomas Scharf quotes from an undisclosed source that Druid Hill " was laid out by Col. Rogers in the best style of English landscape gardening. He went so far as to group trees with regard for their autumnal tints and with fine effect. The gold and crimson colors were brought out into strong and beautiful relief by being backed with evergreens. The skirting woodlands were converted into bays and indentations." [5]

Scharf also states that Rogers was " an architect of considerable distinction and left many traces of his artistic taste." In his *Chronicles of Baltimore* he credits him with being the architect of the handsome Assembly Room completed in 1799, where the élite of Baltimore met to dance.[6] Griffith in his *Annals of Baltimore*, published in 1824, states that Col. Rogers drew the plan for the jail built in Baltimore in 1802 and Robert Cary Long was the builder.[7] The Maryland Historical Society has an elaborate scale drawing of an unidentified church—" Design of Temple for Divine Worship by Nicholas Rogers, Esqr., 1810."

Col. Rogers was undoubtedly an amateur architect of no small talent. An old manuscript owned by a descendant of Col. Rogers states that he drew plans for a large, handsome house which he built on an oak covered hill, but the year is not given.[8] This was the first Druid Hill mansion, built probably soon after his marriage. Col. Rogers evidently wished to prove his ability as an architect by designing his country seat in the new Federal style which was outmoding the Georgian type of house. Though no drawing

[5] *History of Baltimore City and County* (Philadelphia, 1881), p. 274. Tradition in the Buchanan family has it that Colonel Rogers selected as the site of his new home a hilltop which the family had previously named Druid Hill. Further data on the family will be found in Clayton C. Hall, ed., *Baltimore, its History and its People* (N. Y.: Lewis Historical Pub. Co., 1912), III, 832-835.

[6] P. 283.

[7] P. 175.

[8] From Rogers Family Notes by Anne S. Dandridge, cited by J. V. Kelly in *Public Parks . . . No. 3,* p. 24.

or floor plan of this house exists today a fair description of it is found in the *Baltimore Journal and Commercial Advertiser* of August 8, 1796, which tells of the destruction of the house by fire.

> Last Saturday night between the hours of ten and eleven a fire broke out in the dwelling house of Col. Rogers about two and a half miles from this town and before any assistance could be given was totally consumed. It cannot be said that any neglect of the family occasioned it but from the fire being first discovered in the roof, it is supposed a spark from the chimney communicated thereto and created the conflagration of the building. This building, formally admired for its simplicity and elegance occupied a front of nearly sixty feet—was only one story—but so compact and commodious as to outvie most of the buildings in the vicinity of Baltimore. The possessor of this late hospitable mansion must be much grieved not only on account of the loss and the net cost of rebuilding, but for the destruction of a plan which cost him unwearied attention and which he can now but barely hope to imitate.

Undaunted by this calamity Col. Rogers decided to build another house on the same site and again drew plans for the second Druid Hill. During the four year period while the new home was being built the Rogers family lived in their city house at the corner of Baltimore and Light Sts. Again catastrophe overtook them, for on April 14, 1801, the town house was also destroyed by fire.[9]

Richard Parkinson, an English gentleman-farmer, who for several years rented Orange Hill, a large farm on the Philadelphia Road near Baltimore, wrote in his *Tour in America*, published in London in 1805:

> A few days before I left America, Col. Rogers of Baltimore whipped a negro for some fault, and at night put him in the cellar. He got out while the family were asleep in their beds, set fire to the house, by putting fire under the staircase, the way usually practiced by these nefarious miscreants, and the family with difficulty saved their lives; every article in the house was consumed; the Colonel's pocket book, containing a great number of bank notes, likewise became a prey to the flames.[10]

Perhaps this second disaster broke the Colonel's spirit; perhaps it embarrassed him financially, for as soon as possible the family, which consisted of his wife and their two children — Lloyd Nicholas, a lad of fourteen and Harriet, two years younger —

[9] *Federal Gazette,* April 15, 1801, p. 3, col. 4.

[10] Vol. II, p. 637. Col. Rogers' will proves he was a most humane master. In it he stipulated that an aged Negro couple be retained and cared for by his son. His younger slaves and their descendants were to be manumitted when they reached the ages of twenty five (female) and thirty (male).

moved into their barely completed country home. The balancing wings which Col. Rogers is said to have planned for Druid Hill were never built.

Six year later the wedding of Harriet Rogers and John Robert Murray, Esq., of New York City, took place at Druid Hill.[11] The young couple presumably did not return to New York, for a few months before Mrs. Rogers' death in January, 1812, she and the Colonel jointly deeded to their son-in-law 31½ acres of Auchentorolie with " all and singular buildings, improvements, rights, privileges and appurtances whatsoever " in exchange for a five dollar bill.[12] This land lay south of Druid Hill estate and was bounded on the west by the Reisterstown turnpike. The Murrays later moved to Geneseo, N. Y., and in 1856 this identical property was conveyed by Lloyd Nicholas Rogers to John Morris Orem. Mr. Orem built a handsome Victorian style residence on the property which he called Auchentorolie, after the old estate. His house was demolished some years ago but the lithographed view of Mr. Orem's Auchentorolie by Hoen & Co. is well-known in Baltimore today.[13]

A lithograph made from a pencil sketch by John Murray, a rear view of Druid Hill, is owned today by a descendant of Col. Rogers.[14] Murray made the sketch from " the valley in the rear, looking from the Northeast and from a point near the stable which is in the foreground near the three cows shown in the sketch." The inscription, in pencil, is initialed " E. L. R." for Edmund Law Rogers, son of Lloyd Nicholas Rogers and grandfather of the owner of the lithograph of Druid Hill. Quite appropriately this area is now a part of the Zoo. The sketch shows a narrow carriage drive which skirts the edge of a ravine below the house and continues past the low, square house which stands close to the brink of the little valley.

[11] *Federal Gazette*, Feb. 18, 1807. Murray (1774-1851) was an amateur artist of some standing. From 1840 till his death he was an honorary member, amateur, of the National Academy of Design. He was also a director of the American Academy of Arts as early as 1806 and its vice-president in 1809. He died in New York City where he seems to have spent most of his life. See *National Academy of Design Exhibition Record, 1826-1860*, Collections of the New-York Historical Society, 1942, Vol. II (N. Y., 1943) p. 46; William M. MacBean's *Biographical Register of Saint Andrew's Society of the State of New York*, (N. Y. 1925), II, 12-13.

[12] Baltimore Court House, Land Records, W. G. No. 115, f. 427.

[13] Baltimore County Court House, Towson. Book No. 17, f. 380.

[14] Mr. Edmund Law Rogers Smith, great-great grandson of Col. Nicholas Rogers, is the present owner of the Rogers Family Notes and other items mentioned.

While Murray's view, which is reproduced herewith, gives an impression of size and grandeur, it is tantalizing in its lack of clear detail. Faintly discernible are the divided stairs leading to what must have been an impressive entrance in the main story. It is impossible to say whether the central portion of the house was recessed or not or whether there was a portico. The meaning of the unusual curve in the roof is equally baffling. The house faced southeastwardly and overlooked the city.

The whereabouts of a " View of Seat of Col. Rogers, near Baltimore " by Francis Guy, exhibited under this title in 1811 at the First Annual Exhibition of the Society of Artists of the United States, Philadelphia, is not known today. This would seem unquestionably to have been a view of Druid Hill. Guy painted a number of views of country seats near Baltimore in the early years of the 19th century. Some of them may be seen at the Maryland Historical Society.[15]

A later oil painting of Druid Hill, a landscape view taken from the south, by John F. Kensett, N. A., is owned by Mr. Smith. Kensett was one of the group of artists known today as the Hudson River School. Without question he knew the Rogers family and was familiar with their home. His elder brother, Thomas Kensett, pioneer oyster packer and canner, settled in Baltimore in 1849 and his summer home adjoined Auchentorolie. Although Kensett's painting of Druid Hill is dated 1864, (" J F K '64 "), it shows the house before it was altered by the Park Commissioners. Possibly it was painted from a sketch made by the artist on an early visit to his brother. The riding habit of the lady on horseback with long flowing skirt and romantic plumed hat is definitely Victorian. This view is reproduced as the cover picture of this Magazine.

Although the exterior of Druid Hill was totally unlike the main unit of Homewood, which was built a few years later by Charles Carroll of Carrollton for his son, the proportions of the two houses and the arrangement of the windows are quite similar. The first story, or basement, floor of both houses is low, the windows small. The main story is much higher—the ceilings at Druid Hill are thirteen feet high and the windows proportionately taller. The entrance door to both houses is on

[15] J. Hall Pleasants, *Four Late Eighteenth Century Anglo-American Landscape Painters* (Worcester, Mass.: American Antiquarian Society, 1943), p. 115.

this floor and is reached by steps which lead to an entrance porch with tall columns which opens on the central hall of the house. Unlike Homewood, Col. Rogers' house has no eaves. The low attic of Druid Hill extended only over the center portion of the house. Over the entrance door is a window with arched head; small oval windows are on either side. Beyond them the roof is flat and surmounted by a balustrade.[16]

Although Lloyd Nicholas Rogers did not become the owner of Druid Hill estate until the death of his father in 1822, it was to the family home he brought his bride, Eliza Law, daughter of Eliza Parke Custis and Thomas Law of Washington, D. C., whom he married in the spring of 1817. Mrs. Rogers died a few months after the death of her father-in-law, Col. Rogers. She left a son, Edmund Law Rogers (1818-1896) and a daughter, Eleanor. In 1829 Mr. Rogers married again. The wedding of the handsome lawyer from Baltimore and Hortensia Monroe Hay, daughter of Judge George Hay and granddaughter of President Monroe, took place quietly at Oak Hill, the Monroe estate near Leesburg, Va. Miss Hay was named for her godmother, Hortense de Beauharnais, Queen of Holland, who had been a school friend of her mother, Eliza Monroe, in Paris. Three daughters were born of this second marriage, Harriet, Hortensia and Mary Custis, all of whom grew up and married while the family lived at Druid Hill.

A hundred and more years ago Druid Hill was a gay and happy home. It must have been a beautiful home also, filled with heirlooms and mementoes of the Custis, Law and Washington families which Eliza Law had brought to Druid Hill [17]—miniatures of her great-grandmother, Martha Washington, of her grandfather, John Parke Custis and of her father, Thomas Law, and Saint Memin's portrait of her mother. Hortensia Hay had brought to Druid Hill a portrait of Queen Hortense painted by Gérard which the Queen

[16] A miniature painting of Greenwood, country seat of Philip Rogers, elder brother of Col. Nicholas, shows a house rather reminiscent of Druid Hill. This small painting is in a medallion on a pier table at the Baltimore Museum of Art. The picture shows a white house, probably stucco, with tall windows in the main story, small windows below. The entrance is from a porch with tall columns, reached by a flight of circular steps. The attic extends only over the main portion of the house. The roof over the attached wings is flat. One cannot but wonder if Col. Rogers designed his brother's home which was built about the same time as Druid Hill. Greenwood is shown on T. H. Poppleton's *Map of Baltimore,* (1851), slightly north and west of Collington Square in northeast Baltimore. The house stood in the proposed extension of Choptank Street, now Collington Avenue, and was demolished when the street was cut through the property.

[17] *Sun,* Jan. 6, 1899; *Ibid.,* March 6, 1905.

had sent her namesake. Portraits of President Monroe by Rembrandt Peale and Lambdin hung on the walls and a miniature of her grandmother, Elizabeth Kortright Monroe, painted in Paris by Sené. She also brought some of the massive Monroe silver and white and lavender china which her grandparents had used in the White House.

The passing years brought many changes. Mrs. Rogers died in the 1850's. All the children married and left Druid Hill except Eleanor,[18] the eldest daughter. She was her father's devoted companion in the last years of his life and the sole executrix of his will. To her he left the major portion of his estate. As Mr. Rogers grew older he is said to have become embittered. Despite his opposition the Green Spring Company secured from the State Legislature a right of way through his property. Clouds foreshadowing the Civil War were gathering and in 1860 he reluctantly agreed to sell his 475 acre estate to the City of Baltimore for a public park. His only stipulation was that the family burial ground remain untouched. The consideration was $1,000 per acre.

On the 16th of October of that year, Mr. Rogers and his daughter witnessed the ceremonies celebrating the formal opening of the park from the front porch of their old home. The next day Mr. Rogers left his house for the last time and within a month he died. He was buried with his forebears in the old Buchanan-Rogers graveyard in the park. His epitaph states that he was " a ripe scholar and accomplished gentleman. . . . He sleeps as was his wish with his relatives and those he loved."

A faded photograph of Druid Hill as it looked when purchased by the City shows the handsome house in a state of mild decay.[19] Some stucco has fallen, exposing the brick walls of the house. All the columns of the front portico are missing, but the fine elaborate cornice below the balustrade which surmounts the roof is still intact. One wonders why the interior woodwork of the Mansion House today is so plain. Surely Col. Rogers' original plan called for interior trim more in keeping with his fine house. Perhaps the interior of the house was not finished when the family hastily moved in after their city home was burned and was

[18] *Sun*, March 6, 1905. The marriage of Eleanor Rogers to George Robbins Goldsborough of Ashby, Talbot Co., took place in 1862.

[19] Collection Maryland Historical Society, courtesy of Mr. Smith.

not completed as originally planned. Perhaps the Park Commissioners considered the woodwork of the house too fine for a public "pavillion." No one knows the answer. New days bring new ways. The wide glassed-in porches of Druid Hill Mansion House are now the home of a fine collection of tropical birds which are visited daily by hundreds of people, old and young.

[20] Opened to the public on Sunday, May 8, 1949, and visited that day by over 6,000 men, women and children.

WASHINGTON ACADEMY, SOMERSET COUNTY, MARYLAND

By Raymond B. Clark, Jr.

Few American secondary schools can claim a history as long or as continuous as that of Washington Academy, now Washington High School, Princess Anne, Somerset County. Originally established in 1767, under the name of Somerset Academy, Washington Academy arose from the great need for educational institutions in Maryland. Not all planters could afford to send their children to England to be educated; or if the means were available, many preferred not to venture their sons on the dangerous ocean passage or trust them to the disinterested care of an English factor. The need for local schools had long been recognized and beginning with the school law of 1694, various attempts had been made by the proprietary government to establish some sort of an educational system. By the middle of the eighteenth century, the schools established under these laws were miserably inadequate and were generally condemned as useless. Consequently, private initiative was required to supply this want.[1]

Among the private schools established in Maryland during the eighteenth century, Washington Academy was one of the first and possibly the best. Its early history, as described in detail in Rind's *Virginia Gazette* of February 23, 1769, emerges with more clarity than is generally the case with colonial institutions. This account, supposedly written by a " Gentleman, on his travels, to a friend in Williamsburg," seems to reveal a much closer connection and a more intimate knowledge of the newly established Academy than one would expect from a casual traveller. Perhaps publicity was his objective in writing. According to Rind's correspondent, the academy was established by a " number of public spirited Gentelmen, of different denominations," who motivated by a " deep conviction of the great importance of learning both to church and

[1] Bernard C. Steiner, *History of Education in Maryland* (Washington: Government Printing Office, 1894), p. 40.

WASHINGTON ACADEMY

Building erected 1802 on Jones Creek, Somerset County, and occupied until 1843.

state generously united to encourage it upon such a Catholic plan as might render it beneficial to persons of all denominations."

Selecting a site on the north side of Back Creek approximately six miles from the town of Princess Anne, the founders erected " a genteel commodious house, sixty-two feet in length and twenty in breadth " to house masters and students.[2] This structure was planned with a definite purpose, for it was believed that

> by residing all together, in one house, the scholars are always under the immediate inspection of the masters, and of consequence are less exposed to vice and temptation, and are free from various interruptions in study, which will unavoidably attend them when dispersed in different families: And it also prevents any loss of time, by coming tardy to school, or of not coming at all by the badness of the weather; but by this means so much time is redeemed that the scholars usually get a recitation before breakfast.

A steward was engaged " to victual the academy," to supervise the servants, and to keep" all things neat and decent." The charges were relatively low—nine pounds, ten shillings for board; five pounds for tuition; and fifty shillings for washing, mending and bedding. The whole amount totalled about seventeen pounds annually. The traveller considered it the cheapest school he had ever seen in America.

The control of the Academy was vested in the hands of six gentlemen or managers who had broad powers of administration and who, more specifically, selected the two masters upon which their system operated. The masters, with good educational backgrounds and " unblemished reputations," worked from six to eight hours a day in " reaching " their students who by 1769—two years after its founding—totalled forty. School prayers were held both morning and evening, " agreeable to the laudable practice of the most eminent schools and academies in Great Britain." Included in the curriculum were English grammar, orthography, Latin and Greek, geography, " logick," navigation and surveying. The art of speaking was given a special and peculiar place in the schedule, because it was thought to be such a necessary tool for preparation for the three honored professions—senate, bar and the pulpit.

Situated in a " healthy place with a good air," the Academy was recommended as combining the advantages of neither being

[2] The site was near the present town of Westover. Because of its location the academy was called the " School on Back Creek." *Maryland, A Guide to the Old Line State* (New York, 1946), p. 425.

too near a town with its possible diversions to "infest it with vicious examples," nor in too isolated a region remote from any connection with civilization.

Two public days, the equivalent of our examinations and commencements of today, were held—one at the end of each term. The dates were announced in advance in order that parents and friends could attend. These exercises were designed to give parents an opportunity to see how well their sons were progressing. The students were questioned by the managers and the masters. Debating and oratory were the highlights of the program. Apart from furnishing a means of delight to the listeners, these exhibitions served as wonderful tests of resourcefulness and knowledge and gave the students experience in meeting audiences.

The unknown traveller of 1769 ended his discussion of Somerset Academy with an appeal for its continued support:

> Though a foreigner, and unconnected with the colony, yet as a citizen of the world, and a common friend of literature; I cannot but rejoice that such a useful institution is erected, especially in that part of the country, which is so remote from colleges, and so much needs the genial rays of science. May friends and benefactors be daily rising up to patronize, encourage, and support it, and may it inspire and stimulate other Gentlemen in the southern colonies to enlarge the commonwealth of learning, the following of which is so necessary to the preservation of liberty and the prosperity of church and state.[3]

The rapid growth and early prosperity of the Academy was in a large measure due to the excellence of its first masters. These were probably attracted to Washington Academy by Samuel Wilson, lawyer of Westover and a Princeton graduate. He has been considered the originator of the idea of the school. It was, no doubt, through his Princeton connections that he was able to obtain two graduates of his Alma Mater as masters, Luther Martin and Hugh Henry Brackenridge. Both Martin and Brackenridge later had distinguished careers at the bar. The availability of Wilson's excellent law library was of great value in giving them the necessary legal background.[4]

By 1772 the building was enlarged, thanks to many generous contributions, the enrollment had risen from eighteen students in 1769 to seventy. This growth was undoubtedly the result of the

[3] This account is derived from the letter published in Rind's *Virginia Gazette*, Feb. 23, 1769.

[4] Colonel Levin Handy, "Reminiscences," *Somerset News*, July 14, 1927.

choice of masters and a good central location in the lower Eastern Shore. The students came from Maryland, Delaware and Virginia.[5] In 1776 a larger building was erected containing " a Spacious hall for Prayers, Sermons and Public Exhibitions of the Students, and [with] Rooms sufficient to accommodate upward of eighty." Tree-lined walkways joined the different edifices, further enhancing the attractiveness of the grounds.[6]

The Revolution momentarily halted the rapid growth of the Somerset Academy. All efforts were channelled into fighting for independence. According to a contemporary observer, the students had been well disciplined in individual rights and liberties, and thus " they were ready opposers of tyranical usurpation." [7]

One of the first effects of the Revolution was the abandonment of the name Somerset Academy for one more in harmony with the patriotic temper of the time. In November, 1779, the trustees of Somerset Academy obtained from the General Assembly an act of incorporation which authorized them to adopt the name Washington Academy. According to a correspondent of the *Maryland Journal and Baltimore Advertiser*, this step was taken in response to the encouraging turn taken by " Public Affairs " and in view of the " success and reputation of former years." [8]

By the terms of this act, the buildings and land were conveyed to the new trustees.[9] The land—approximately four acres—was secured with the condition that if it were not used by the trustees

[5] " A Brief Account of the Rise, Progress and Present State of the Washington Academy in Somerset County, Maryland," *Maryland Journal and Baltimore Advertiser*, November 23, 1784.

[6] *Ibid.*

[7] *Ibid.*

[8] *Ibid.* This was probably the first educational institution to be named after George Washington. Washington College in Chestertown was not established until 1782.

[9] The first trustees established in this act were: Jacob Kerr, Levin Gale, David and Samuel Wilson, John Winder, Henry Jackson, Thomas Maddox, William Polk, Isaac Henry, Henry Waggaman and William Strawbridge. " An Act to incorporate the managers of Back-Creek School," *Laws of Maryland . . . [November, 1779]*. (Annapolis, [1780]), Chap. XV. In 1784 a supplementary act permitted the trustees to increase their number to eighteen and to appoint new members in the place of those who failed to attend meetings. According to this act additional trustees were desired in order to give representation to other Maryland counties (the act names Dorchester, Somerset and Worcester), to Virginia (Accomac(k) and Northampton counties) and Delaware (Sussex County). These counties had subscribed upwards of £500 to the support of the academy. *Laws of Maryland . . . [November, 1784]* (Annapolis [1785]), Chap. LXIV.

as a seminary of learning, it would revert to Samuel Wilson or his heirs.[10]

The first meeting of the trustees was held in 1783. Reverend Dr. McWhorter and Reverend Thomas Reed were in turn offered the presidency, but each declined. The Reverend William Lynn, chosen in 1784, was the first active president.[11] He taught oratory and natural philosophy. Archibald Walker, a graduate of the University of Glasgow with a Master of Arts degree, was employed to assist President Lynn and to teach mathematics and philosophy. Joseph Miller, with a Bachelor of Arts degree from the University of Pennsylvania, was engaged to teach geography and history. In addition to the subjects taught by the president and the two masters, Greek, Latin, and the "English Tongue" were offered.[12] During this period eighty students were enrolled.

At the same meeting, the trustees agreed to embark upon a campaign to raise funds:

> A Subscription was opened and large sums were obtained from this and adjacent counties. The amount of the subscriptions at present is upward of five thousand pounds. Whenever they are completed, the names of the subscribers with the sums annexed, will be published to the world. The funds, it is expected, will be sufficiently adequate to the support of able teachers, and to the purchase of Mathematical and Philosophical Apparatus as buildings, Maps, Globes, and a considerable library are provided.[13]

Washington Academy was greatly esteemed by the public for its non-sectarian attitude. One of the first resolutions adopted by the school stated that no attempt would be made to induce any student to change his religious convictions. No evidence has been found that this rule was ever violated. This is all the more notable since the first presidents and some of the masters were clergymen. However, this was more or less a common precedent followed in most early schools.

The school buildings were destroyed by fire late in the night of the eighteenth of April, 1797.[14] Rumors persisted that the burning was the act of a pupil who had been disciplined or ex-

[10] Deed of conveyance, Samuel Wilson to Trustees of Washington Academy, Dec. 10, 1784, County Court House Records, Princess Anne, Somerset County

[11] Maud Garland Jones, "Old Home Prize Essay," Somerset *News*, July 8, 1935.

[12] "A Brief Account," *Maryland Journal and Baltimore Advertiser*, Nov. 23, 1784.

[13] Record Book of the Trustees, Record Room of the Clerk of the Circuit Court of Somerset County, Princess Anne, Md.

[14] *Ibid.*

pelled for some offense. The loss of the buildings forced the academy to move temporarily to the home of Mr. James Brittingham in Princess Anne. This well-built frame house was located on the south-east corner of Washington and Somerset Avenues.[15] Mrs. George Waggaman accommodated what few scholars there were.[16] This was a trying period for the institution. At one time it was almost abandoned, and few pupils were enrolled. The academy was maintained at this residence for a short time only, as soon after the board of trustees decided to rent the Eden School. This institution, located at the head of Wicomico Creek, had been named in honor of Sir Robert Eden, the royal governor of Maryland from 1769 to 1776.[17] Although it had been founded in compliance with the school law of 1723, it had not been successful and its buildings were vacant.[18]

Since this move was not regarded as a permanent one, a committee was appointed to select a site for a new school. About two miles south of Princess Anne, they purchased a plot of land from Whittington King, a member of the family which owned "Beverly," a show-place in that area. The seven and a half acre plot was situated on the main road between Princess Anne and King's Creek. Most accounts have stated that "old Washington Academy" in its new setting was located on King's Creek, but investigation has revealed that this site was nearer Jones' Creek, or as it has also been called, Dashiell's Creek.[19]

After the land had been secured, steps were taken to erect a new building. The funds of the trustees of the Academy at this time amounted to $868.30 in investments and $572.84 in cash; together these totalled $1,441.14.[20] Since this sum was insufficient to execute the plans, a lottery was conducted by Levin Winder, John Dennis, and Littleton D. Teackle.[21]

The first building on the new site was erected in 1802 at a cost of ten thousand dollars; it consisted of a basement and two and a

[15] Statement of Dr. Harry Lankford, Princess Anne, June, 1947, in a personal interview.
[16] Record Book of the Trustees.
[17] Charles J. Truitt, *Historic Salisbury, Maryland* (Garden City, 1932), p. 110.
[18] Speech of L. T. H. Irving, delivered at dedication of Washington High School, July 5, 1892, Records of Board of Education of Somerset County, Princess Anne, Md.
[19] Collection of the late H. Fillmore Lankford, used by permission of Dr. Harry Lankford.
[20] Record Book of the Trustees.
[21] Collection of H. Fillmore Lankford.

half stories. The building's dimensions were seventy-five feet in length and forty-five feet in width. The outside walls were of brick covered with shingles. Some of the bricks used came from the Eden School which had been demolished; the other bricks were made at nearby kilns.[22] The new school possessed typical features of the day—" four large chimneys, a conical roof . . . pediments and cupola." [23]

The large room which occupied the greater part of the first floor was used as the auditorium and chapel. The remainder of this floor was devoted to class rooms. Opening from the auditorium balcony were suites and small rooms which were used as sleeping quarters by the masters and students. The offices of the administration were downstairs near the entrance, and the dining rooms and kitchen were in the back of the building.[24] The structure had great dignity, befitting its place in the community. The main building was graced further in 1813 by the addition of a belfry and bell, the cost of which amounted to one hundred dollars. The treasurer's report for this year shows there remained a balance of four thousand dollars after the cost of these improvements had been deducted. Perhaps the fact that the school received eight hundred dollars from the state had something to do with this financial prosperity.

As the years passed more liberal courses were added to the curriculum. In 1809 a dancing master gave lessons on Saturdays from twelve noon to seven in the evening to those who wished to learn the fundamentals of this art. Dramatics were also featured at the Academy and a stage was erected for this purpose. Among the courses taught in 1814 were: English, reading, writing, arithmetic, English grammar, trigonometry, surveying, navigation, logic, rhetoric, philosophy, Latin, Greek, French, Spanish and oratory. The curriculum seems to have achieved a nice balance between the practical, the theoretical, and the merely ornamental.[25]

The schedule of classes for Washington Academy was a difficult one. In the winter, the day began at seven in the morning with prayers (in fall and spring they were held at six o'clock); then recitations were conducted until eight o'clock, when break-

[22] The profits of the sale of Eden School property were divided between the Trustees of Washington Academy and the Worcester County School.
[23] George Alfred Townsend, *The Entailed Hat* (New York, 1912), p. 447.
[24] Information supplied by Dr. Harry Lanford, who visited the school as a boy.
[25] Record Book of the Trustees.

fast was served. Following this, classes were held from nine to twelve every morning and from two to five in the afternoon. Prayers were again held at five o'clock just preceding the dinner meal. The scholars were required to stay in their rooms after eight o'clock; two hours in preparation for the next day's recitation were also required.

The laws of the school make odd reading today. Although non-sectarian, religion was not ignored by the school, for the students were required to attend the service of some church each Sunday. On Sunday Bible passages were assigned to be read and studied, and later in the day all were examined. Work, studying, and amusements were forbidden on Sunday. The students were not allowed to possess firearms or to keep dogs. The former of the last two regulations may seem strange today, but in the early nineteenth century it was not unusual for gentlemen to carry small arms. Also the students were examined twice a year before the vacation periods. The first vacation was late in April and lasted only a few weeks; the other was in August and continued through to the first Monday in October. The rules also forbade swearing, gaming, billiard playing, frequenting taverns, and enjoined respect to the masters.[27]

This account would not be complete unless some mention were made of the meals which were served the students. Then, as now, they were an important factor in helping establish the reputation of a school. Certainly, it is interesting to compare the diet with that of today. For breakfast and supper the menu was as follows: " Coffee, tea, chocolate, or milk with Corn Bread and Butter or Wheat Biscuit without Butter "; the dinner consisted of the following from March 1st until the August vacation: bacon—four times a week, fresh provisions—twice a week, and a sufficiency of vegetables all the time. " Bunyan," or meatless day, was observed once a week. After August, the menu for the noon meal was changed to bacon twice a week; pork, beef or mutton four times a week; vegetables all the time; and one meatless day.[28]

In 1843 Washington Academy united with the Franklin School, which had been incorporated in 1837. The building which they

[26] *Ibid.*

[27] *Laws and Regulations of Washington Academy, Princess Anne, Md.* (Princess Anne: printed by J. S. Zeiber at the Herald Office, 1832), 12 pp.

[28] *Ibid.*

were to use was located in Princess Anne and was known as the "Masonic Hall." The school was moved to a three acre lot purchased from Mrs. Eliza Waters, which was east of the present railroad tracks just outside thetown limits. Until the new building had been moved and was ready for occupancy, the sessions of the school were held in the Carroll House, the home of Mrs. Define, which had been named for Anna Ella Carroll, who had lived in Princess Anne. A few years later the school property was enlarged by the purchase of more land on the road from Princess Anne to Snow Hill.[29]

The union with the Franklin School caused few changes and the Academy retained its reputation. Sons of prominent families continued to attend this old institution. The principal change was one of location. Instead of a spacious setting in the country, it was now located in the town of Princess Anne. Minor alterations were made from time to time in the courses which were offered, in the rules which governed the student body, and in costs. The academy still enjoyed its popularity; it even continued its academic schedule without interruption during the Civil War.

As the result of an arrangement made in 1872 between the trustees of Washington Academy and the Board of School Commissioners of Somerset County, the Academy was associated with the public school system.[30] The era of private schools was declining and that of the public school movement was becoming the leading force in state education. Although this arrangement was a most satisfactory one, the members of the two boards did not contemplate the greatly enlarged enrollment which ensued.

By 1891 a stronger agreement was concluded between the trustees and the School Board.[31] They decided to erect a new brick building in Princess Anne, employing, insofar as possible, bricks and other materials from the old academy building which had been abandoned in 1843. As the years had passed, the old building had greatly deteriorated. All efforts to sell it, either for use as a school or as a private dwelling, had failed. Sometime during the 1880's and 1890's, it had been occupied by Miss Mermiah Gibbons, a cousin of the late Cardinal Gibbons, who lived there

[29] Liber B. H., p. 49 and Liber L. W., No. 1, p. 1, Somerset County Court House, Princess Anne, Md.; records of Somerset County Board of Education.
[30] Records of Somerset County Board of Education, Princess Anne, Md.
[31] *Ibid.*

alone.[32] There is no record of the property having any other occupant. The new Washington High School was constructed at a total cost of thirteen thousand dollars and was in use from September, 1893, until 1938, when it was torn down to give way to a modern high school, which continues the tradition of service to the community begun in 1767.[33]

APPENDIX

Principals of Washington Academy, 1784-1890

Prior to 1784 the records fail to show who were the principals.

1784—Rev. William Lynn, a Presbyterian Preacher of Donegal, Ireland. He served until November 8, 1785.
1785—Archibald Walker, a graduate of the University of Oxford. He resigned in 1792.
1792—Rev. John Collins. After his resignation Mr. Fementin, a tutor in the academy took charge until a principal could be elected.
1799—Mr. James Laird of Wilmington, Delaware. Resigned in 1807 to take orders in the Episcopal Church.
1807—Dr. Johnson elected but declined. Mr. Laird consented to remain until January 1808.
1808—Mr. McCurtin.
1811—Rev. James Laird reelected. Resigned, 1814.
1814—Mr. Francis Waters.
1818—Charles Robertson, a graduate of Harvard.
1820—Rev. Joseph Spencer.
1822—Rev. William Campbell Kidd.
1823—Mr. Hugh Caldwell
1824—Rev. Francis Waters.
1828—Rev. Robert M. Laird. Resigned, July 1835.
1835—Rev. Ferdinand Jacobs. Resigned, 1837
1837—Rev. Jacob W. Eker. Resigned, 1841.
1841—Rev. Jacobs.
1841—Mr. Scudder. Resigned, 1842.
1842—Mr. Charles S. Stone. Resigned, 1843.
1843—Mr. Matthew Spencer. Resigned, 1846.
1846—Mr. Granger. Resigned, 1847.
1847—Rev. Horatio Merill. Resigned, 1848.
1848—Mr. Matthew Spencer.
1856—Mr. H. G. Allison. Resigned, 1857.
1857—Mr. B. H. Entrip. Resigned, 1862.
1862—Mr. Richard Burke. Resigned, 1865.

[32] Personal statement of Dr. Lankford.
[33] Records of the Somerset County Board of Education.

1865—Rev. William C. Handy.
1866—Rev. Macbeth.
1867—Rev. A. C. Heaton.
1871—Mr. Arthur Crisfield.

From 1872 the principals were supplied by the public school system.

1872—Mr. Cincinnatus Morris.
1876—Mr. B. H. Jesse.
1878—Mr. H. L. Leitch.
1879—Mr. William Dashiell.
1884—Mr. J. Crockett.
1890—Mr. R. M. Wimbrough.

REVIEWS OF RECENT BOOKS

Seventeenth Century Maryland, A Bibliography. Compiled by ELIZABETH BAER. Introduction by LAWRENCE C. WROTH. Baltimore: John Work Garrett Library, 1949. xxix, 219 pp., [174] plates. $20.00.

This is a beautiful and expensive book, issued in an edition of 300 copies, lavishly illustrated with facsimile titlepages, introduced by the country's leading authority on the books of colonial Maryland, and dedicated to the late bibliophile John Work Garrett, on whose collection the list is based. The work outlines with thoroughness the book collectors' interests in material on Maryland printed in the 17th century.

The author's object has been " to provide a survey of the early history of Maryland, up to and including the year 1700, as reflected in the printed books issued during these years." The method employed in this generous objective results in a motley and extremely interesting list of two hundred and some titles that concern Maryland in varying degrees. About 5% of them also concern Newfoundland; about 10% also concern Virginia; 10%, Pennsylvania; 15%, the world at large; 30% also concern America more or less. The remaining 30% are strictly Maryland books, and include a few items printed in the colony: 8 to be exact, since the blank forms have been excluded.

Miss Baer has dealt with the Lords Baltimore in extenso. This explains the appearance of Newfoundland books in a Maryland bibliography, since George Calvert's Avalon experiment makes their inclusion at least as appropriate, say, as the inclusion of the Roanoke Colony might be in a Virginia bibliography. Vaughan's *Cambrensivm Caroleia* " is included . . . because some of the poems are dedicated to Lord Baltimore." One is surprised to find no trace in the list of Bacon's Rebellion, which had its roots in Maryland, but the chief narratives written in the 17th century that deal with the Maryland phase of the Rebellion were not printed at the time, and the one reference to Maryland in the printed Rebellion accounts of the day that I can find is the comment in the 1677 *Strange News* of Bacon's giving out " that it was his intention to sell his whole concerns in *Virginia*, and go with his whole Family to live either in *Merryland* or the *South*, because he would avoid (as he said) the scandal of being accounted a factious person there." Miss Baer has properly ruled this out as being too oblique a reference for inclusion.

A careful check of 17th Century books in one not inconsiderable collection of Americana, the McGregor Library at the University of Virginia, shows no single omission of any significance. The separately printed acts of Parliament can be made to yield a few items of general colonial interest that might possibly have been included (e. g., the 1643 *Ordinance* con-

cerning the Earle of Warwick and the 1649 *Rates of Excise and New Impost*), but these have presumably been ruled out as too general in nature.

The bibliographical annotation is all that a collector can desire, and is sometimes given in close detail, as in No. 22, where it is shown that the 2nd series final leaf is a 2nd series A1. In a similar instance, however, though in a much less important book, the relationship between A^8 and Ff^4 of No. 191 is not shown. Of the latter, there are uncanceled corrected states of the outer forme of the 12^{mo} sheet at Harvard and the Biddle Law Library of the University of Pennsylvania. The ViU McGregor copy has the canceled uncorrected state of the same forme, with a different cancellans from Miss Baer's, though with a cancellans titlepage identical with the Harvard-Biddle uncanceled titlepage. I have not found the cancellandum of the uncorrected state, and none may have survived.

This work is, in other words, not only the first real bibliography of 17th Century Maryland, but one which reflects credit on an able librarian and will stand as a suitable monument to a great collector.

JOHN COOK WYLLIE.

University of Virginia Library.

Lincoln and The Baltimore Plot, 1861. Edited by NORMA B. CUTHBERT. San Marino, Cal.: Huntington Library, 1949. xxii, 161 pp. $3.

This book naturally holds deep interest for citizens of Baltimore and Maryland. Zealous Unionist sympathizers of this state have always felt that a stain was placed on Maryland's fair fame by the charge that a plot had been formed to assassinate Lincoln as he passed through Baltimore on his way to the nation's capital to be inaugurated president. Some have believed firmly that such a plan had been formulated and that it was foiled only by his midnight passage through this border city from one railway terminus to another in a sleeping car, which brought him to Washington ahead of schedule. Others have felt that the authenticity of any such plot was open to serious question. Indeed, Lincoln himself was sceptical. This problem has never been solved, though historians seem to have agreed with Lincoln's advisers that he was amply justified in not taking the risk of a daylight passage through Baltimore.

Although the editor modestly states that no definitive investigation of the plot has been made, as she has done research on the subject in only three libraries, she has assembled considerable material to present to the reader. The enlightening evidence which has been reposing in the Huntington Library at San Marino, California, has now been given to the public.

The editor gives properly in the introduction an account of the Lincolniana accumulated by Lincoln's old friend, William Henry Herndon, which was purchased and turned over to Colonel Ward H. Lamon, and finally found a permanent abiding place in the Huntington Library. The present volume embraces the full record of the plot as told by Allan

Pinkerton, the famous detective himself, a transcript of the detective's Record Book, an account of the occurrence at Harrisburg in connection with the thwarting of the plot set down by Norman B. Judd in 1866, and a final chapter discussing the relation to the plot of Ward H. Lamon, Lincoln's law partner from 1841-1860, and the only person who accompanied the president-elect during the entire journey from Springfield to Washington.

By all odds the most important portion of the book is Pinkerton's Record Book, a transcript of the day by day reports of Mr. Pinkerton and of his several "operators," as he preferred to call his assistant detectives. It should be noted that this is not the first publication of some of these reports, for a few excerpts were used in Lamon's *The Life of Abraham, Lincoln from His Birth to His Inauguration as President* but it is the first opportunity afforded to the average reader to peruse the entire record.

To this reviewer the evidence of a plot seems pretty conclusive: the testimony of Pinkerton himself about the Italian Ferrandini (pp. 35-36); of a Mr. Luckett, a Baltimore broker and secessionist, to Pinkerton on the method whereby the plot was to be carried out (p. 89); of A. F. C., one of the "operators," concerning the railing of O. K. Hillard, one of the conspirators, about the "leak" which made possible Lincoln's escape (p. 91); and the testimony of T. W., another assistant (p. 100). However, it is possible that historians may still differ as to whether the Pinkerton records *prove* the existence of a *plot*. Certainly, the leading detective of the day, whose training should have made him less gullible than the present-day layman, felt that he had evidence of such a plot. At least, the conviction of such a witness and the evidence contained in these pages seem such that they cannot lightly be swept aside.

Pinkerton's account, as is indicated on the flap of the jacket, is an historical account turned into a gripping, thrilling mystery story, in which real detectives reveal their methods of counter espionage.

The work of editing is competently performed with all requisite explanations and documentation.

ELLA LONN.

Goucher College, Baltimore.

A Calendar of Ridgely Family Letters, 1742-1899, in the Delaware State Archives. Edited and Compiled by LEON DEVALINGER, JR., State Archivist, and VIRGINIA E. SHAW, Classifier. Family Data Supplied by Mrs. Henry Ridgely. Volume I. Published privately by some descendants of the Ridgely Family for the Public Archives Commission. Dover, Delaware: 1948. 349, 36 pp.

The Ridgelys of Delaware & Their Circle. What Them Befell in Colonial & Federal Times. Letters, 1751-1890. Edited by MABEL LLOYD RIDGELY. Portland, Maine: Anthoensen Press, 1949. xxi, 426 pp.

These books are based upon a common foundation,—the papers of the Ridgely family of Delaware, descendants of Nicholas Ridgely (1694-

1755). He was born and spent his youth in Anne Arundel County in the province of Maryland, where his grandfather, Colonel Henry Ridgely, having come from England in 1659, had risen to high office in the Proprietary government. At some time before 1734 Nicholas departed from the shores of the Chesapeake and, finally settled in the vicinity of Dover in Kent County, Delaware. The family papers extend over more than a century and a half; but the collection has undergone great and serious losses through destruction and neglect. That so much still exists is to be ascribed to the interest and devotion of Ann Ridgely, a great-granddaughter of Nicholas, and the wife of Charles I. duPont. Mrs. duPont, apparently at some time between 1887 and 1890, removed a mass of papers from a loft where they had long been in a sad state of deterioration, saved what she could, and added supplementary notes of her own. Much more recently, in our own time, Mrs. Henry Ridgely, born Mabel Lloyd Fisher, was entrusted with the care of the collection, made large additions thereto of documents gathered by herself, persuaded those who then owned the collection to present the papers to the State Archives Commission of Delaware, and helped to provide the funds necessary for the preparation and publication of the *Calendar* of Mr. deValinger and Miss Shaw. Finally, Mrs. Ridgely has now published through the Anthoensen Press her book *The Ridgelys of Delaware and Their Circle.*

The earlier letters of the collection regrettably are few and of minor importance; although both Nicholas, a lawyer, and his son Charles Greenberry Ridgely, a physician, are known to have been active in the political life of Delaware. When Dr. Charles Ridgely died in 1785, his widow became the real head of the family. This was Ann, one of the daughters of the Tory judge William Moore, of Pennsylvania. From the beginning of her widowhood to her death in 1810 Ann Moore Ridgely remains the central figure in the correspondence. She was one of those women of vigorous mind and high character who influence for good two or three generations of their contemporaries. Well educated, and herself much given to writing, she stimulated in her children proficiency in the same art. She brought to the Ridgelys, strong in their Delaware and New Jersey connections, an enlargement of social ties, particularly in Philadelphia, where two of her sisters were wives, respectively, of Provost William Smith and of Dr. Phineas Bond, and where one of her nieces was Mrs. John Cadwalader. With Maryland, in contrast, about the only close association seems to have been that with her husband's sister, Mrs. Thomas Dorsey of Elk Ridge, and her children.

The *Calendar*, which is to be in three volumes, is intended to furnish an abstract of every letter in the collection which pertains to the Ridgely family. This first volume brings the abstracts down to 1811, just after the death of Ann Moore Ridgely. Aided by Mrs. Henry Ridgely, the editors have meticulously sought to identify the writers and the recipients of the letters and the people who are mentioned by them. There is a lengthy historical introduction which proves to be a skilful analysis of the social, economic and cultural evolution of eighteenth-century Delaware, and which beguiles one into forgetting the disappointing weakness

of this part of the collection as a source for political and constitutional history. An index of thirty-six pages directs the reader not only to persons and places but to many of the subjects discussed by the letter-writers or by the editors.

The abstracts are excellent; but as to the arrangements of them into chapters there is room for question. It is stated that the principle of this is "to devote an individual chapter to the male head of the family in each generation and an additional one for his children." In this volume the plan does not work well; one has to look in widely separated places for letters written by the same person at the same time and place, because in one case that person is writing to a parent, while in another he or she is addressing a brother or a sister. Also, the postponement to the second volume of the adult letters of two of Charles Ridgely's sons leads to a very awkward title for the fourth chapter in the first volume—"Other Children of Dr. Charles G. Ridgely." The omission from its proper place on page 289 of the numerical heading, "Chapter IV" is about the only slip in proof-reading that has been noted.

Mrs. Henry Ridgely's book is, of course, different, both in form and in purpose, from the *Calendar*; though the two are really complementary. Mrs. Ridgely publishes letters in their full text, not in abstracts. Her volume extends over the whole time-range of the collection into the latter half of the nineteenth century. She has been constrained, therefore, to *select* letters which to her seem interesting and important. These, enriched with material drawn from other sources, she has set within a framework of her own comment which, if subjective, reveals both an intimate knowledge of the family history and a charming sense of humor. Finding an element of unity in the fact that so much of the correspondence is that of young people, or has to do with young people, Mrs. Ridgely shares with these their joys and sorrows, their illnesses and their gaieties, their visits to their relatives in Philadelphia, Newport, and other towns larger—and perhaps more interesting—than Dover. Yet to Mrs. Ridgely, no less than to those of earlier days, Dover is the center; and her interest in the Ridgelys hardly surpasses her love for their homes. At the end of her book Mrs. Ridgely has provided many unusually fine reproductions of photographs which include among their subjects Christ Church in Dover, with the Ridgely family graves; the town house familiarly called "The House on the Green"; the residence which Nicholas the founder built on his plantation, "Eden Hill," not far from Dover;—together with pictures of some of the gardens, the furniture, and the portraits of the Ridgelys.

In a whimsical vein Mrs. Ridgely writes that the wishes to have for her epitaph: "She died of the Eighteenth Century." We hope that her grandchildren, to whom she dedicates this book, and many others who read it, will say, rather, that she has brought the past to life.

St. George L. Sioussat.

Problems of Church and State in Maryland during the Seventeenth and Eighteenth Centuries. By ALBERT WARWICK WERLINE. South Lancaster, Mass.: The College Press, 1948. ix, 236 pp.

Although this study will reveal little that is new to those acquainted with the colonial history of Maryland, yet the author has made a worthwhile contribution to the religious history of the state. Scattered materials have been brought together in a single volume; the discovery of additional details has helped to fill in the outlines of a somewhat indistinct picture; and the work has been carefully documented. Following a sketch of the background of the Establishment in Maryland, considerable attention is devoted to problems pertaining to the clergy. The captions of chapters II and IV, "The Evolution of the Establishment" and "Revising Church-State Relations," are somewhat misleading, inasmuch as they are almost exclusively concerned with the conduct, education, salaries, influence and regulation of the ministers. Since the Proprietor clung jealously to his power of ecclesiastical appointment, which he used to further his political interests, and since resignation was the only means whereby incumbents were removed from office, no effective discipline of clergymen could be devised. "Sectarian Rivalries" (Chapter III), another unsuitable heading, deals primarily with anti-Catholic legislation and attitudes in the eighteenth century, although it includes a brief discussion of the numerical strength and influence of dissenters.

Most of the remaining chapters have to do with the period of the American Revolution. Attitudes of Anglicans and Catholics towards political and religious issues are investigated. No one will be surprised at the conclusion that, "The former (Anglican clergy) were Loyalists; but their congregations refused to follow them politically" (p. 128). Nor is it surprising that no correlation was found between religious affiliations and the voting of delegates on matters which were mostly political. It is interesting to note how little controversy over religious matters marred legislative conventions or newspaper discussions in this era; there was apparently no resort "to religious appeals in reaching decisions concerning political action" (p. 131). The Establishment fell a casualty to the rising democratic spirit, with little or no protest. "So far as religious liberty is concerned, the Convention made no advance beyond the province's traditional toleration" (p. 155). At the close of the war, there was still a religious test for office-holding, and non-jurors were prohibited from offices of trust or profit. Moreover, although a constitutional provision granted to the legislature the authority to levy a tax for the support of religion, this power was never used. Interestingly enough, in the rather half-hearted attempt to persuade the legislature to implement the foregoing power, even the Episcopal clergy did not fight enthusiastically for a law imposing a tax to support religion (p. 182).

While there are several criticisms that ought to be made, if more space were available, yet none of these is of sufficient importance to discredit this fine piece of research. There are some weaknesses in interpretation (more lack of interpretation than wrong ones), apparent contradictions and inconsistencies, bibliographical omissions, etc., but none of these is

serious or basic to the main part of his story. The number of factual errors is surprisingly small, so far as detected; and none of them is of any consequence. There are several areas which provoke curiosity and invite further probing.

NORMAN H. MARING.

Eastern Baptist Theological Seminary.

The Long Crooked River (*The Susquehanna*). By RICHMOND E. MYERS. Boston: Christopher Publishing House, [1949]. 380 pp. $4.

Mr. Myers, who is a geologist, says in his Preface that this volume " is the result of a natural interest in the human history of a river valley through which the author has worked from time to time." In eighteen chapters he undertakes to tell the significance of the Susquehanna river to the geologist, its historic role to Indian, trader, missionary, soldier, ironmaster, anthracite miner, farmer, " Rebel " and politician, and its historic relation to " culture," and to the states of New York and Maryland. The book is therefore mainly a popularization of local history.

The best parts seem to this reviewer to be those that show the hand of the geologist. The imagination of Marylanders may be stirred by the realization that the Chesapeake from Havre de Grace to the Virginia Capes is little more than the ancient course of the lower Susquehanna, submerged in the Pleistocene age. As history the book is spoiled by hasty writing, carelessness as to dates and inaccuracy in deails. For example, the Pennsylvania Historical Commission did not send the Moorehead expedition to explore the river (p. 56) nor did it publish the report of that expedition (p. 373). The Shades of Death were not so called because of any connection with the Wyoming Massacre of 1778 (p. 125) ; that name for the Poconos appears on Scull's map in 1770. The steamboat *Codorus* was launched on the River in 1825, not 1826; the *Codorus* was not ' Baltimore-financed,' and was built at York, not at York Haven (pp. 158-159). The steamer *Susquehanna* not only reached Columbia (p. 158) but went up to York Haven where it spent a winter. The operating of steamboats on the river did not end in 1851 (p. 160) : they were used for ferrying service at Wrightsville well into the present century. The story that Stiegel was so popular that a lottery was held for his benefit in 1773 is fantastic, and the action of the Assembly in releasing him from a debtor's prison—quite a normal proceeding for the time—is apparently construed as further evidence of extreme popularity (pp. 209-210). That speculators owned ' vast amounts ' of Pennsylvania land before the Revolution is an exaggeration (p. 238). General Early did not reach the Susquehanna (p. 265). William Maclay's diary for 20 June 1790 does not say, " There was a dinner this day which I had no notice of and never thought of such a thing," or anything like it (p. 273). Congress did not debate the question of a permanent seat for the federal government in 1778-79 (p. 272).

As for literary usage the following passages are indicative: " The need for balm on southern waters was essential to the preservation of the

young republic" (p. 273); 'the embryo of a political tempest was brewing" (p. 279). The Scotch-Irish could "plow a field with one hand on the plow handle, the other grasping the rifle, and at the same time strike a bargain with some passerby to the mutual satisfaction of all concerned." (pp. 19-20). The Pennamite Wars become 'Pennite' (pp. 129-133), and the German Seventh Day Baptists are carelessly referred to as 'Seven Day Adventists.' No less than nine of the personal names used are misspelled. (Even 'Baltimorians' are not exempt.)

In spite of the book's errors and prolixity a rich and colorful history is unfolded. None of the American rivers stands more in need of a historian.

HENRY J. YOUNG.

Historical Society of York County, Penna.

The Vermont Story, A History of the People of the Green Mountain State, 1749-1949. By EARLE NEWTON. With a foreword by ALLAN NEVINS and an introduction by DOROTHY CANFIELD FISHER. Montpelier: The Vermont Historical Society, 1949. x, 290 pp. $7.50.

Writers of sound State histories are not unknown but they are rare, for home loyalties and ancestral devotion often so engulf the author as to make him more conscious of gentle sentiments and bright traditions than of the sometimes horrid fact. But Vermont consistently does odd things. It has been known, in the midst of revolution against a royal master, to stand ready for combat with three neighboring states as well as with Britain; and later to put its hard-won money into schoolhouses and libraries instead of showplaces; and later to vote Republican when 46 other states were voting otherwise; and then, in the midst of depression, to decline federal aid for a grand tourist highway (this time startling *all* the 47 other states). It should not surprise anyone, then, to see Vermont now take the lead in a new series of state histories and, in doing so, set a notable standard for others to follow. For *The Vermont Story*, besides being a book of beauty, is an effort to tell of the state's curious past as it was instead of as many devoted admirers have presented it.

To most chroniclers the extraordinary legends of Ethan Allen and his Green Mountain Boys have been irresistible as the legends of Robin Hood. Mr. Newton resists temptation, and with steadfast attention to the record discloses that, for all Allen's feats, it was his interest in land deals which pointed him toward many of his border combats, and his interest in the potential prosperity of "Greater Vermont" which led him and his colleagues not to glorious battle but to correspondence with the enemy at the height of the Revolution. Earlier writers have paved the way for this heterodoxy, but Mr. Newton (now preparing a full-grown and documented history of Vermont yet to come) has presented his evidence in a manner to command fresh attention.

Vermont's recorded history began late, for the Indian wars which came

to an end only with France's surrender of Canada permitted only the boldest souls to settle in the upper Connecticut Valley and in the defensible areas to the west—here were the disputed "New Hampshire Grants" in a wilderness claimed both by Massachusetts and New York, to the indignation of settlers who had taken up the fronts. From those bold pioneers sprang sturdy descendants, who themselves did further pioneering in various realms. Their first constitution (written at Windsor in 1777, fourteen years before Vermont's admission to the Union as the Fourteenth State) was the first to forbid slavery and to grant universal manhood suffrage. Also it gave assurance of religious liberty—for those professing Protestantism. In the next two generations Vermont contributed from its small population to state after state of the west, and to an unsurpassed (percentagewise) sacrifice in the Civil War, and to pioneering in industry, and to a modest pioneering in the arts as well. This Mr. Newton records agreeably, with that nice balance of vigor and restraint which makes him a proper Vermonter.

The book is richly adorned with a torrent of illustrations in color, so happily portraying the scene as to please even a transplanted Yankee whose memory of that scene, familiar from boyhood, makes exacting demand. In spirit and in performance this is a state history worth examining and emulating.

MARK S. WATSON.

John Hancock: Patriot in Purple. By HERBERT S. ALLAN. New York: Macmillan, 1948. 422 pp. $5.

A full-length biography of John Hancock has long been overdue, probably for two reasons. In the first place, he was not entirely the kind of Founding Father we like to display. Even Mr. Allan confesses that "He was vain, arrogant, egotistic, hyper-sensitive, petulant, exhibitionistic, capricious, vacillating, intemperate, susceptible to flattery, improvident and . . . somewhat of a demagogue and much of a faker. . . ." In the second place, John Hancock, though enormously popular with the masses, has always rubbed individuals the wrong way. "Mr. H. had enemies as well as other folks," his wife said, rather complacently; and many slighting comments have been handed down, of which John Adams' "empty barrel" is at once the best known and the most devastating. Though Adams later felt more charitable, he stuck to it that Hancock's "vanity and caprice made me sometimes sputter. . . ." Potential biographers have sputtered similarly down the years. Conceding his sterling qualities, applauding his services to the patriot cause, they have really enjoyed snubbing "King" Hancock—brash, uppish, vulgarly new-rich—by passing him by.

Thus, Mr. Allan's book is a needed contribution; but as a biographer he rather recalls Mr. Hancock's sad case. Minor irritants, such as coyness of style, sometimes obscure his several talents and admirable research.

ELLEN HART SMITH.

Captain Dauntless: The Story of Nicholas Biddle of the Continental Navy. By WILLIAM BELL CLARK. Baton Rouge: Louisiana State University Press, 1949. 317 pp. $4.50.

It was the fate of Nicholas Biddle of Philadelphia to play a capable role in the fledgling Continental navy in which politics and nepotism took precedence over ability. Biddle's character and ability were unquestioned; they led, however, not to the glory of the victorious but to sudden death at the age of 27 when his ship, the frigate *Randolph* blew up while locked in battle with a far more powerful British ship of the line.

Probably few individuals have read or heard much about Biddle. Two exceptions are Mr. Clark, and Baltimore's outstanding writer, Gerald W. Johnson. Mr. Johnson's estimate of Biddle is given in his *The First Captain, the Story of John Paul Jones.* Telling of the list of naval commissions issued by the Continental Congress in October, 1776 (when the Congress was about to flee from Philadelphia to Baltimore) Mr. Johnson reports:

"The result was a list [of commissions] so astounding that even the politicians could hardly believe their eyes. No officers higher than captain were commissioned, but on the list of captains the first man worth the powder and shot it would take to kill him was number five, Biddle. . . ." Paul Jones, incidentally, was eighteenth on the list; looking through the wrong end of the telescope, one gets a glimpse of the evaluation of ability shown by our ancestors.

Mr. Clark has done an outstanding job in tracing the career of Biddle from his boyhood in Philadelphia to the still unexplained explosion of the *Randolph.* Young Biddle went to sea at an early age as did many of the youths of his time. A mediumsized, handsome youth, his diplomacy showed itself immediately, as did his qualities of leadership.

After a number of years in merchant ships higher adventure called; there was talk of war between England and Spain and young Biddle wanted to be in on the fun. Armed with recommendations he sailed for England and in June, 1771—he was not 21 years old—he became Mr. Midshipman Biddle.

Excitement eluding him, Biddle enrolled as a seaman in an Arctic exploration expedition. He returned to England at about the time of the Boston Tea Party. Realizing that war was imminent, he resigned his midshipman's commission and sailed for Philadelphia.

Biddle got his first break when he was named commander of the brig *Andrew Doria* (in which Baltimore's Joshua Barney was also to serve) by the Naval Committee of the Continental Congress. From then on and until his death Biddle was one of the few men in the Continental Navy who accomplished anything. Only after his second cruise in the *Randolph* when he took four prizes—two ships and two brigs—was he able to command seamen. Politicians had to be treated tactfully; even the elements were against him, for twice lightning wrecked masts while he lay in Charleston (S. C.) harbor. Biddle put up lightning rods.

WILLIAM B. CRANE.

Westward Expansion, A History of the American Frontier. By Ray Allen Billington with the collaboration of James Blaine Hedges. New York: Macmillan, 1949. 873 pp. $6.25.

Although nearly a century has passed since Frederick Jackson Turner delivered his epoch-making address entitled "The Significance of the Frontier in American History," the vitality of his hypothesis is still capable of eliciting a first-rate treatment of the history of American expansion westward. The truth of this assertion can be found in Professor Billington's long but engrossing study of the westward movement. A student in the Turner tradition, yet not one blind to Turner's faults, Mr. Billington has attempted to present a synthesis of the "thousands of pages of writings" inspired by Turner's original essays. The result is both stimulating and satisfying.

Maryland readers will be particularly interested in the first section of the book, entitled "The Colonial Frontier." The references to Maryland events are not extensive—a fault that can be blamed primarily upon the dearth of recent first-rate studies applying Turner's ideas to the Maryland scene—but they are lively enough to whet the appetite. Indeed, *Westward Expansion* will afford many delightful, if vicarious, adventures to those in whom the pioneering spirit still secretly resides.

John R. Lambert, Jr.

Carnegie Institute of Technology, Pittsburgh, Pa.

Guns on the Western Waters. By H. Allen Gosnell. Baton Rouge: Louisiana State University Press, 1949. xii, 273 pp. $6.50.

This book is a narrative account of the operations of the gunboat flotillas on western rivers during the Civil War. More specifically, the author attempts to evaluate the role played by these gunboats in the waging of such battles as the Red River campaign, Vicksburg, and Forts Donelson and Henry. This phase of the strategy used in the Civil War takes on new significance since one of the major aims of the Union forces was gaining control of the Mississippi River and its tributaries. In this effort, naval warfare and particularly the operations of these gunboat flotillas had to play an important part.

The author approaches his subject with a discussion of the strategy of river warfare. In addition, he includes a description of the type of craft which were used to wage such a war. His study throughout, moreover, includes the exact words of the actual participants. By employing such devices, the author enables his reader to see more clearly why the war in the west had to be waged as a combined military and naval operation.

Guns on the Western Waters is not as scholarly a piece of work as it could have been. The author does, however, possess a great amount of knowledge of naval warfare which he combines with his scholarly ability. But here the similarity ends. The book has no index or bibliography. His

technique of employing long quotations throughout his text is annoying. In addition, several minor factual errors exist. He says, for instance, (p. 25) that the war began on April 12, 1861, with Fort Sumter falling the next day. Actually, the fort did not surrender until April 14. Nevertheless, the book is of value for the attention it focusses on a hitherto almost neglected phase of the Civil War. As such, its value lies in giving the Navy some of the credit for winning the Civil War.

FRANK F. WHITE, JR.

Guide to the Records in the National Archives. Washington: Government Printing Office, 1948. xvi, 684 pp.

Roy Nichols once addressed the Society of American Archivists on the subject, "Alice in Wonderland; or the Historian among the Archives." As a member of Professor Nichols' audience, this reviewer found his remarks not only amusing, but also highly instructive. How instructive they were, the intervening ten years have amply demonstrated. Extensive experience in handling archival materials has certainly reduced naïvete and insouciance to a minimum. Experience has also proved the need for a workable medium for finding one's way through such masses of material.

In publishing such media in the past, the National Archives has performed an outstanding service for scholars. Now comes as a wholly unmixed blessing a revised and greatly enlarged edition of the *Guide*. More than twice the size of the 1940 edition by 800 pages to 321 pages, this book catalogs all Government records received by the Archives up to June 30, 1947. In the bulk of the records described, the contrast is even more striking—roughly 800,000 cubic feet to 200,000 cubic feet.

The records of each Government department, bureau, and office are entered in this volume as a numbered record group. Included in each entry is a brief history of the office which originated the records, as well as a description of the records themselves. These contain a wealth of useful information about the office and its records and are buttressed by references to authoritative published works pertinent to the office. There is a list of the record groups in Appendix D arranged by office of origin, which supplements the table of contents very well. There is also an excellent index. On the whole, this is a contribution of which Dr. Wayne Grover and his staff may well be proud and which scholars generally will welcome.

OUTTEN J. CLINARD.

Historical Division, Corps of Engineers.

Florida's Flagler. By SIDNEY WALTER MARTIN. Athens: University of Georgia Press, 1949. 280 pp. $3.

In this balanced and unbiased account of the life of Henry M. Flagler, one meets a dynamic personality—a self-disciplined man of singular efficiency and determination whose passion was the acquisition of wealth. Born in New York State in 1830, the son of a Presbyterian minister, he trekked west to Ohio when 14 years of age. Close application and great energy, combined with self-confidence, a certain daring and a Midas touch, created an extraordinary career. In 1913 he died leaving an estate approximating $100,000,000.00.

Wealth, acquired and accumulating, and imaginative vision enabled him to become "Florida's Flagler." Two delightful months of Florida sunshine in the winter of 1884 germinated in the mind of Flagler thoughts of the Florida East Coast as a sanctuary of escape from the rigors of northern climates. He could afford to expend millions in the development of the Florida East Coast. He did so and was granted sufficient longevity to observe his vision come into full flower.

NOTES AND QUERIES

THOMAS BEALL OF GEORGETOWN REPORTS THE BURNING OF WASHINGTON

A vivid if terse contemporary report of the British capture of Washington and Alexandria in August, 1814, appears unexpectedly enough in an account book of the Georgetown merchant, Thomas Beall, 1748-1819. The book was presented to the Society last winter by Mr. H. Irvine Keyser II, a descendant of the writer of the account and grandson of the donor of the Society's home, the H. Irvine Keyser Memorial Building. The entries in the day-book read:

Wednesday 24th. day of Augt. 1814

the British Commanded by Genl. Cockbourn [*sic*] & Genl. Ross met Genl. Winder Commander of the American Forces and had a sharp conflict the Militia Retreated under Winder to Geo Town, from there to Tennely Town the British pushed after and there advanced Gard arrived in the City Washington at 7 o'K same night by 8. or nine the Navy Yard was in flames the magazine blew up with a great explosion the fort at the point went up, then Mr. Carroll's Great Hotel then followed the Capitol several other Houses, on the Hill about 12 olk the presidents House followed in Turn with the Treasury Office Thursday—they burnd. the several Roap Walks Ringolds & Renners. there came on about 4 olk the Great Wind and Rain I ever beheld, about sun-set the British left the City and went to Bladensburgh Thuy. 25 from thence to Marlboro & & Saturday, about 5 olk P. M.—a heavy canonading was heard at Fort Washington, & con-

tinued until 9 olk when the Magazine blew up with a terrible Explosition [*sic*] that jared the Windows, and Ground here Sunday morning. 28. about 9 olk A. M. discovered the Fort & other buildings in flames—Alexa. taken and Laid under Contribution report says 150 000 bbs. flour, and thousand Hhds. Tobo. or as much as they can take away—the British fleet left Alexa. Monday 5 Sept. 1814 & went down in dispite of 2 Batteries Comd. by Potter [Porter] & Perry.

Memo of Expenses Dr 14 bbs [barrels] fine [flour] in Granary	
To 1 bbl. fine flour opened to feed People horses 8, a week ago [$]	5–
" 1 Do. Do. gave Negro Peter taking care Goods	5–
" 1 Do. Do. for family use about 20 Sept.	5–
" 1 Do. gave old Beck [?] 10 Oct. 1814	5–
" 1 Do. opened for Ingram 12 Do. do	5–
	25–

The volume, covering the years 1812-1824, reflects the economic life of the early nineteenth century through such entries as those for tobacco, wheat, flour, oysters, shad, carriages, coal, cordwood, bank stock, knives and forks, furred boots, house rents, " dressing a hat," " large chickings of the game breed " and hire and sale of Negro slaves. Among the customers were Oliver Evans, George C. Washington, Charles Carroll of Bellevue, R. P. Magruder, Capt. T. B. Beall, Joseph Delaplaine, Dr. Charles Worthington and E. Riggs. Probably the earliest record of George Peabody in Georgetown is this: " Oct. 29, 1814—To cash paid peabody ¼ yd. Cloth 2.50."

Thomas Beall was the son of George, builder of Dumbarton, and father of Elizabeth Ridgely Beall who became Mrs. George C. Washington. The entries appear to be in the handwriting of Beall until his death, Oct. 5, 1819, and thereafter in that of his son-in-law, Mr. Washigton, who conducted the business affairs of his wife's mother. George Corbin Washington, 1789-1854, was, of course, a great nephew of General Washington and represented Maryland in the House of Representatives for four terms. He was president of the C. & O. Canal and divided his residence between Georgetown and his plantation in Montgomery County.

In August, 1947, the Society received as the gift of Miss Henrietta D. Stonestreet, of Baltimore, a ledger record 1790-1798 of the Georgetown business of Brooke Beall, near relative of Thomas Beall. The relationship between the two businesses, if any, is not yet clear.

STOVES AT HAMPTON

" When Hampton was built," according to J. C. Carpenter, writing on the topic " An Old Maryland Mansion " in *Appleton's Journal* for May 8, 1875, " . . . the country-people soon saw with amazement what was to them a palace rising in the wilderness. . . . They called it ' Ridgely's Folly ' . . . it had too many ' new-fangled notions ' about it. Marble

mantels, folding doors, sofas, mahogany sideboards, and chinaware, were almost unknown immediately after the Revolution. Yet Hampton must be adorned with all these. . . . Stoves in houses or in churches were the rarest of luxuries. . . . Prior to 1800 there were not six four-wheeled carriages in the whole city of Baltimore. And the captain would have carpets, and stoves, and carriages; drove, indeed, with a coach-and-four when the fancy seized him."

Highly colored descriptions such as this are notably unreliable. Research in connection with the restoration of Hampton has so far failed to indicate the type of stoves used in Hampton or even to finally prove that stoves were originally installed there. It seems likely that some form of the Franklin stove or "Pennsylvania fireplace," invented in 1742, would have been used.

The use of cast iron stoves in early America, long before the completion of Hampton in 1790, is not generally realized. They were in common use in French Canada in the seventeenth century and were widely used in the United States by the close of the eighteenth century. In the *Maryland Journal*, Baltimore, January 14, 1783, Captain Ridgely himself advertised stoves, as well as kettles, Dutch ovens, flat-irons, and cannon. Careful examination of the fireplaces at Hampton have failed, however, to settle the type of stoves, if any, originally installed. Search of the Ridgely papers at the Maryland Historical Society have not yet yielded conclusive evidence. It is hoped that anyone in possession of information about the type of stoves used in this area toward the close of the eighteenth century will let the restoration authorities know. Documentary evidence or actual examples of stoves of the period, if the evidence is clear, are desired.

Examples of wallpaper and carpeting used in Baltimore in the last quarter of the eighteenth century would also be of great interest.

CHARLES E. PETERSON, Regional Architect,
National Park Service, Richmond, Va.

THUNDER STORM AT DR. BUCHANAN'S HOME, 1752

Thanks to Mr. William B. Marye, Corresponding Secretary of the Society, the Magazine is able to reprint the following account of an event at the Buchanan home, near Baltimore, on the estate now known as Druid Hill Park. No doubt the house referred to is that known as the Colonial house, a picture of which is published with the article on Druid Hill in this issue.

"Monday last in the Afternoon, [July 27] there was a very violent Gust of Lightning and Thunder, in *Baltimore* County, which struck the House of Mrs. *Buchanan*, Widow of the late Dr. *Buchanan*, about 3 Miles from *Baltimore-Town*; whereby Mrs. *Buchanan* was struck speechless for some Time, and a young Woman, Miss *Elizabeth Gill*, who liv'd with Mrs. *Buchanan* as a Companion, and was sitting at Work in the same Room with her, was instantly struck dead. Two Negroes were likewise struck down

in the Kitchen, but the Building received no Damage. A Decanter standing on a Chest of Drawers was split in Pieces, and a large China Bowl was flung to the Ground without being broke or crak'd"—*Maryland Gazette*, Annapolis, July 30, 1752.

Parker Genealogical Prize.

The sum of approximately $50 is available for prizes for well prepared genealogies of Maryland families, submitted for the Dudrea and Sumner Parker Annual Award. Preference will be given those papers that present a connected and orderly account of one or more families identified closely with Maryland. Entrants may be either members or non-members of the Society. Papers presented in this contest should be received by the Society on or before December 31, 1949. This award was established in 1947, in memory of the late Sumner A. Parker by Mrs. Parker, who has herself taken a keen interest in Maryland genealogy and wishes to see the Society's collection of genealogies extended as far as possible.

Hughes—Information is wanted on Clementine Lavinia Hughes, born March 17, 1786, who married on January 1, 1807 Daniel Lambdin Haddaway of Talbot County, Maryland, he was born May 1, 1788 and died May 12, 1848.

F. Bradford Simpson,
423 Alpine Terrace, Ridgewood, N. J.

Williams—Joseph Williams died in 1692, his wife Edith Cromwell and later his brother Benjamin administered his estate. His will gives him as late of Calvert County; Administration accounts list him as late of Baltimore County and a 1699 Judgment, Taylor versus Williams, states he was late of Cecil County. Has anyone any information on where this Joseph was born and when, how he came to this country or when he settled in Maryland?

Mrs. Elwood Williams,
101 West 10th Street, New York 11, N. Y.

Judge John Charles Watrous of Texas—Information is sought concerning the career of Judge Watrous in Maryland and of a possible picture of him. Born in Connecticut, 1801, he graduated from Union College and studied law in Knoxville, Tennessee. He came to Texas in 1837 and the next year was made attorney general of the Republic of Texas. In 1846 he was appointed a Federal judge and lived in Galveston. He married Melinda R. Williams in 1866, probably in Washington, D. C. He died in

Baltimore, June 19, 1874, leaving two minor children. Possibly descendants of these daughters, if any, may have data about Judge Watrous.

Walace Hawkins,
Magnolia Petroleum Co., Dallas 1, Texas.

Uniforms of Maryland Militia, 1800-1820—A study of the uniforms of the various organizations comprising the local militia in the early decades of the last century is under way by a group of military historians and artists with a view to publication of an illustrated history of American militia uniforms. Any information of this subject, especially descriptions, sketches, parts of uniforms, hats, buttons, etc., will be gratefully received.

Harry D. Berry, Jr.,
37 Alleghany Ave., Towson 4, Md.

Pierpont or Pierpoint—Information is sought as to the parents of Francis Pierpoint, Jr. b. 1712, died 1781, whose wife was Sarah Richardson, b. 1719 in Anne Arundel County, daughter of Joseph and Sarah (Thomas) Richardson. The Pierpoint-Richardson marriage occurred at West River, Maryland in 1737 or 1738. Sarah Thomas Richardson died June 18, 1748. Pierpoint was the son either of Charles and his wife Sidney Chew, or of Francis and his wife Elizabeth Mitchell. The Pierpoints were Friends. Mrs. Pierpoint, Jr., her father, Joseph Richardson, and Charles Pierpoint, her husband's father (?) all died in 1798 about the time the Pierpoints bought land in Frederick County. Does anyone know what happened?

Mrs. Harlan T. Pierpoint,
85 William St., Worcester, Mass.

CONTRIBUTORS.

A student of the diplomatic side of relations between the United States and certain Italian states, Dr. MARRARO was the author of "William Pinkney's Mission to the Kingdom of the Two Sicilies, 1816," which was published in these pages last December. He is Associate Professor of Italian at Columbia University. ☆ Mr. ALDRIDGE is a graduate student in the Department of English at the University of Maryland. ☆ Readers of the Magazine are familiar with the articles on various historical topics which Mrs. BEVAN has contributed from time to time. She is an authority on book plates, gardening and other themes. ☆ A native of the Eastern Shore, Mr. RAYMOND B. CLARK, JR., is a graduate of Washington College, Chestertown, holds the M. A. degree in history from the University of Pennsylvania, and is continuing graduate studies at the latter institution.

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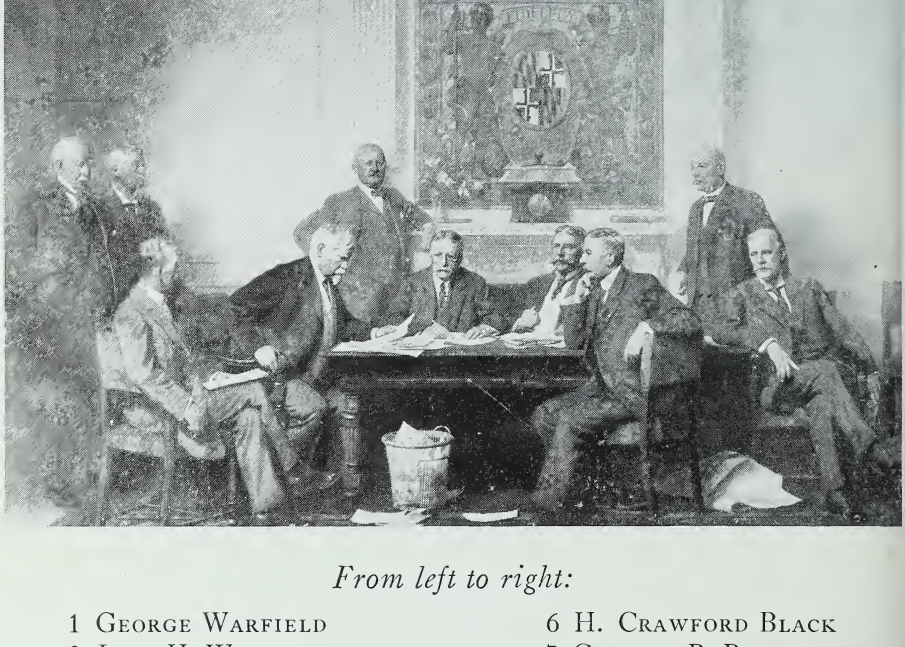

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THE INDEX TO THE 1949 MAGAZINE

The Index to Volume XLIV (the year 1949) of the Maryland Historical Magazine is omitted from this, the concluding issue of the volume. It will be published as a separate pamphlet and mailed gratis to any member or subscriber who may request it, provided such request is received before January 15. It will be sent, without the necessity of a request, to all exchanges and institutional subscribers.

This move has been necessitated by the constantly advancing costs of printing and paper. It will continue in effect unless notice to the contrary is given.

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James W. Foster, Editor
Harry Ammon, Associate Editor

The Magazine is entered as second class matter, at the post office at Baltimore, Maryland, under Act of August 24, 1912.

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3. Spread of historical information relating to Maryland and the rest of the country by means of addresses at the Society's home by authorities in various fields; addresses to outside groups by officers and staff of the Society; publication of the *Maryland Historical Magazine*, a quarterly containing original articles about State history; *Maryland History Notes*, a quarterly bulletin of news of the Society and other local historical items, and of the *Archives of Maryland* under the authority of the State.

The annual dues of the Society are $5.00, life membership $100.00. Subscription to the *Magazine* and to the quarterly news bulletin, *Maryland History Notes*, is included in the membership fee as well as use of the collections and admission to the lectures. The library, portrait gallery and museum rooms, are open daily except Sundays, 9 to 5, Saturday, 9 to 4. June 15 to Sept. 15, daily 9 to 4, Saturday, 9 to 2.

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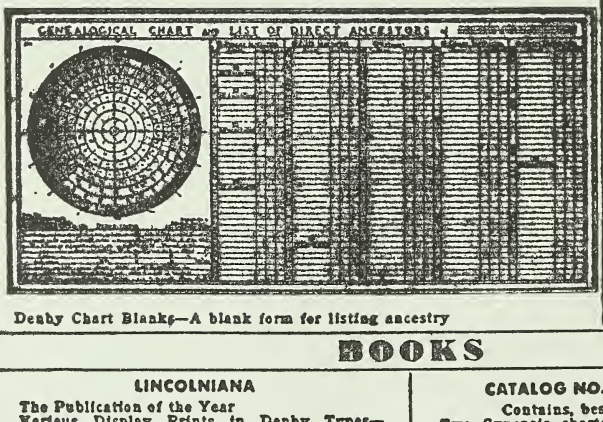

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MARYLAND HISTORICAL MAGAZINE

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Volume XLIV DECEMBER, 1949 Number 4

THE CHARACTER OF THE ANGLICAN CLERGY OF COLONIAL MARYLAND

By Rev. Nelson Waite Rightmyer

PROBABLY no group of men in religious history have had any harder words said about them than have the Maryland clergy. Almost any textbook on American church history, almost any textbook of secular history, castigates the Maryland clergy as a quite worthless lot. For example, Dr. McConnell says that Commissary Bray " found among them some devout and earnest men, but a still larger number who had fallen into the easy manner of the time and place, whose professional duties sat lightly upon them, and some whose lives were a scandal, and whose duties were utterly neglected. He began by proceeding against one or two flagrant offenders against morals and decency." [1] He further states, " While the clergy were apathetic, especially while they refrained from magnifying their office, the conflict between clergy and laity lay latent." [2]

[1] S. D. McConnell, *History of the American Episcopal Church* (New York: Thomas Whittaker, 1890), p. 107.
[2] *Ibid.*, p. 109.

Bacon in speaking of the Maryland clergy says, " The demoralized and undisciplined clergy resisted the attempt of the provincial government to abate the scandal of their lives, and the people resisted the attempt to introduce a bishop. The body thus set before the people as the official representative of the religion of Christ ' was perhaps as contemptible an ecclesiastical organization as history can show,' having all the vices of the Virginia church, without one of its safeguards or redeeming qualities." [3]

Sweet says that when Bray reached Maryland " his next concern was to reform the clergy within the colony and bring to bear upon them effective discipline. At his own expense he visited all the parishes within the colony to observe the work and manner of life of the clergy. Two of the most flagrant clerical offenders against morals and decency were disciplined, though the Commissary's energetic attempts to better conditions frightened and offended the clergy and people as most of them would have preferred to be let alone." [4]

Tiffany says Bray " . . . found some faithful ministers, but more indifferent and lethargic ones. He summoned some to trial, and endeavored to suppress scandalous living." [5]

These are but a few quotations to show the general tenor of criticism raised against the Maryland clergy in the colonial period. This attitude has been widely accepted and has been quoted *ad nauseam* by secondary and tertiary writers, to the general detriment of the Anglican Church. The question is, Is this a true picture of the Maryland Church? It is this writer's opinion that it is a totally unfair picture, that it rests upon a relatively few cases of outright scandalous living, that it is enhanced by a misinterpretation of eighteenth century language forms, and that the accusations against the Maryland clergy are in many cases political rather than moral.

In order to investigate this question fully I have listed every clergyman who is known to have served for any time whatsoever within the borders of Maryland. Although new facts are constantly coming to light, I have found three hundred men who

[3] Leonard Woolsey Bacon, *A History of American Christianity* (New York: Scribners, 1898), pp. 61-62.
[4] W. W. Sweet, *The Story of Religions in America* (New York: Harper, 1930), pp. 63-64.
[5] C. C. Tiffany, *History of the Protestant Episcopal Church* (New York: Scribners, 1895), p. 68.

served in Maryland between 1632, its founding, and the founding of the Protestant Episcopal Church in 1789. Small and unimportant details concerning these men are constantly being added to the file, but at the present time it is safe to assume that we have all of the important facts concerning every one of these three hundred clergymen, that we can determine their length of service in Maryland and something of their general reputation.

In this paper I shall present some of the more sordid details concerning those who have been reputed "scandalous and immoral clergymen." In so doing I think we can show that the number of clergymen who were definitely immoral or who were definitely scandalous in their living was such a decided minority that it is an entirely unfair statement to speak of the Maryland clergy as being in any way inferior to the Anglican clergy generally or to the ministers of any other faith.

Maryland was founded in 1632, but between 1632 and 1675 we have only a few ephemeral characters in holy orders who crossed the actual pages of history. Very little is known of these men. They seem to have established no really permanent work and their transitory nature is such that we need hardly detain ourselves with them.

The first real character of historical definiteness is the Rev. John Yeo. John Yeo came to this country sometime in the 1670's and seems to have officiated all over the Delmarva Peninsula at one time or another. Finally in 1675 as a result of a bequest of land which was to be for the use of the first Protestant minister who would settle in Baltimore County, John Yeo moved from New Castle, Delaware, to the vicinity of what is now the city of Baltimore. He wrote to the Archbishop of Canterbury in 1675 and pointed out that although there were ten or twelve counties with about twenty thousand inhabitants there were but three clergymen of the Church of England.[6] The Roman Catholics and the Quakers had ministers of their faiths. From that time on there seems to have been an increasing number of Anglican priests in Maryland but the exact number has not yet been determined.

In 1692 as a result of the "Glorious Revolution" the Church of England became the established church in Maryland. The Province was laid out into geographic areas as parishes and pro-

[6] F. L. Hawks, *Contributions to the Ecclesiastical History of the United States* (New York: John Taylor, 1839), p. 49.

visions were made for the support of the priests of the Church of England. There is considerable question as to the exact number of Anglican priests in Maryland in the year 1692. It has been stated that there were as many as sixteen. It has also been stated there were as few as three.[7] Probably the truth lies somewhere between these two figures. By 1696 there were sixteen rectors.

Then in 1696 the Bishop of London appointed the Rev. Dr. Thomas Bray as his Commissary for the Province of Maryland. Bray spent four years in England in preparation for his coming to America, years which were spent profitably, years which were spent in developing his system of parochial libraries, arranging for clergymen to come to this country, and to establishing the Society for Promoting Christian Knowledge. On the 20th of December, 1699, he set sail for America and arrived on the 12th of March following.

Bray had the task of setting up a definite system of government for the Church of England clergymen. His first attention was directed to the settlement and maintenance of the parochial clergy. He then began a visitation and tried to arrange for legislation which would continue the support of the clergy. In some ways he was not exactly judicious. The Calverts had adopted a very generous attitude toward all religions so that from 1632 to 1692, a period of sixty years, Roman Catholics, Churchmen, Presbyterians and Quakers had lived together. For a long time these four elements were the dominant religious groups in Maryland and they had enjoyed some kind of peace and harmony among themselves.

But on Bray's advent he attempted to put through the legislature a bill which would require the use of the Book of Common Prayer " in every church or *other place of public worship* " in the Province. This, of course, was like waving a red flag in front of a bull. This would prevent any kind of toleration for dissenters. It would prevent them from assembling for public worship at all and it really increased the animosity of all parties against the Church of England. Nevertheless, the bill did go through and Dr. Bray has been given credit for its enactment. The result was that we find such strange bedfellows as Roman Catholics and Quakers uniting in the common cause against the Church.

[7] *Ibid.*, p. 73.

On the 23rd of May, Bray held a visitation of the clergy and parishes in Maryland. Now we must understand what a visitation is. Today we are apt to use that term in a very broad sense to indicate the fact that the Ordinary of the Diocese bursts in at the last moment, dons his Episcopal robes, confirms a class of candidates, preaches a sermon and hurries off to his next appointment. This is not a " visitation " in its technical sense. When Bray held a visitation, it was a gathering of the clergy and the wardens of the several parishes at Annapolis in a body, which we might well compare to a diocesan convention today. All were required by law to be present. And since they had no such system of bookkeeping or registration of the clergy such as we have today, the clergy were required to be present with their letters of orders and their licenses, and the wardens were required to be present with the pertinent data about the parish.

Bray has left us the articles of his visitation. They were published in London in 1700 under the title, " The Acts of Dr. Bray's Visitation held at Annapolis in Maryland, May 23-24-25, anno 1700," and contain all of the speeches and acts of that meeting. We find there were seventeen clergymen, including Bray, resident in the Province of Maryland. Bray proceeded to discuss with the clergy the necessity for catechizing and the clergy passed resolutions concerning not only catechizing but also all of the instruction required of those who would be admitted to the Lord's Supper. Then they laid down rules concerning preaching, concerning the work of the Commissary, and other details of administration such as might be enacted by any new organization. Consequently these rules included several disciplinary regulations.

Two clergymen were openly reproved for their scandalous living, and I shall mention them more fully in a moment. It is interesting to notice that all of the clergy present agree with the Commissary as to the necessity of reproving these wayward brethren and they passed resolutions to that effect. It was in order to prevent any such thing from happening in the future that regulations were laid down. Thereupon the meeting ended.

One of the two men reproved was Jonathan White. His offense seems to be that he conducted himself on shipboard in such manner as to give offense to some of the passengers. The exact nature of this charge is not known but it was sufficient to have occasioned scandal on his passage from England. At the meeting of the

clergy he made his public confession of his sins and this was accepted by the whole clerical gathering. Later in the year 1700 he became incumbent of William & Mary parish, Charles County, where he continued until 1708 and in that year became incumbent of Queen Anne parish in Prince George County and remained there until 1717. It is generally accepted that he died in December of 1717.

The second man reproved by Bray was George Tubman. He came to Maryland in 1695 and was resident of Charles County, having charge of both William & Mary parish and Port Tobacco parish. The charge laid against him at the visitation was that he was a " polygamist." We should today at least be kind enough to say that he was a bigamist rather than a polygamist. He was charged with having married a wife here in this country and of having had a wife still living in England. He had been brought before the council of the Province and there he had confessed that in England prior to his entrance into holy orders he had been guilty of fornication but that he had not married the woman in England. And he claimed that if given sufficient time, he would be able to produce evidence that he was not married to the woman in England.

Bray said to him: " . . . I conceive, so considerable a Record as you have now heard, will suffice to found Libel upon. But tho' your Crime should be as great as it appears to be, God forbid that you should not have a due time allowed to you to make your Defense. No, Sir, your Defense is what I desire, and would heartily rejoice to see." And he went on in that light pointing out the seriousness of the crime, a crime committed by a person in holy orders; secondly, by a missionary; thirdly, in a place where it gives greatest scandal and allows the Papists and Quakers ample opportunity to malign the Church at a time when it was politically inexpedient because of the support needed for the new Establishment Bill. Tubman was given until the 13th of November, 1701, to make his defense. No evidence appears concerning his subsequent defense. He disappears from the scene in 1701.

The question to be raised is, Did he die or was he evicted? Of course, if he died, it proves nothing. If he was evicted, it would certainly seem to show that at this time the Church of England in the person of Commissary Bray could and did bring discipline to bear upon unworthy clergymen.

These are the two cases growing out of Bray's visitation in a country where the clergy had had no supervision whatsoever, where there was no one who could bring any influence to bear upon unworthy men. Yet we find that two out of the seventeen were undoubtedly unworthy of the Cloth.

But it is interesting to observe that of the quotations with which I began this paper, that of McConnell, Bacon, Sweet, and Tiffany—all are based upon this particular incident and may imply that this situation continued. It must be remembered that the Church was just beginning in Maryland in 1700 when disciplinary action was taken against two clergymen. Is this justification for the harsh statements which have been made and applied to the next eighty-eight years?

Bray had succeeded in having passed through the legislature the bill for the establishment of the Church, but it was by no means certain that this would be approved in England because dissenters of all kinds were naturally opposed to paying taxes for the support of a ministry with which they were not in sympathy. Bray, therefore, returned to England and by his influence succeeded in having the bill approved in England and thus he secured the establishment of the Church. He resigned his office of Commissary and attempted to have a successor appointed. Here he ran into difficulties because the new governor, Seymour, was violently opposed to any kind of Commissary. In fact, during his administration a bill was passed through the legislature which would place the clergy under the judicial proceedings of a committee composed of the governor and three laymen.[8]

This action has been misinterpreted by Tiffany who says that " Under these circumstances the morals of some of the clergy became so glaring that the legislature proceeded to establish an ecclesiastical court. . . . The measure came to nothing. The scandals in the Church went on." [9]

If one considers this quotation carefully, he will see that Tiffany claims that as a result of Bray's visitation a secular court was set up which was to try the clergy. As a matter of fact this had little to do with the actual morals of the clergy. What was actually going on was that the Commissary and the Governor were at

[8] This was in 1704, not 1724 as in William W. Manross, *A History of the American Episcopal Church,* p. 77.

[9] Tiffany, *op. cit.*, p. 71.

loggerheads concerning their respective jurisdictions. Maryland had a peculiar situation. The Calverts had been given the Province of Maryland and they were to own it and to have all the rights of governing it such as the King and Queen had in England. Maryland was a palatinate. The only comparable situation in England was that of the Prince Bishop of Durham, who in ancient times had full jurisdiction over his territory. He could set up his own laws. He could organize his own courts, and he was not only civil but also ecclesiastical governor. Lord Baltimore was in a similar position. He had by his charter the right of nomination and induction into every cure within his Province. Except that he did not actually perform sacerdotal functions, he or his governor acting for him was the Ordinary. He had full control over the clergy, except for the questionable jurisdiction of the Bishop of London. In actual practice the bishop's authority amounted to little more than that of licensing the priest to officiate.

When Dr. Bray appeared in the picture as Commissary for the Bishop of London, the Church of England having been established in Maryland, he attempted to set up the full ecclesiastical jurisdiction such as the Church of England had in England. Bray wanted to assume to himself not only an advisory capacity as Commissary but a judicial capacity. He writes: "The Province itself is greatly desirous of having a person under such character amongst them, and towards his support hath done what in them lay to have the Judicial Office of the Commissary, which has the cognizance of Testamentary Causes annext to that of the Lord Bishop of London; which Judicial Office, as they conceive it, will be best vested in some ecclesiastical person, so it would go a great way towards raising a support for one to exercise Jurisdiction over the Church and Clergy." Now it is this difference of opinion concerning the rights and duties of controlling the clergy which caused the Assembly to pass the bill setting up a lay-judicial system of control. Of course, nothing came of this. The clergy immediately objected to London and the bill was not permitted.

In the meantime, although the secular authorities were talking about improving the quality of the clergy, the governor inducted Joseph Holt into the living in St. Mary's County. Bray objected to this as soon as he heard of it in England because Holt had had a bad reputation in Virginia, having been deprived of his living by Commissary Blair for adultery, drunkenness and fighting; and

Bray used this case as an example of the necessity for the Commissary to have the right of induction into a parish. Bray was willing that the Proprietor or the governor in his stead should nominate the living, but Bray felt that the Church could have no control whatever over the men unless the Commissary had the right to refuse induction. It is interesting to observe that in nearly every case in which a " scandalous " clergyman is mentioned, the name is brought out because the writer wants some political power delegated to himself.

Joseph Holt was a graduate of Jesus College, Cambridge, A. B. 1688/9. From about 1696 to 1700 he was rector of Stratton-Major parish in King and Queen County, Virginia; then from 1700 or 1701 he was for five years in St. Mary's County, Maryland. He returned to England so that his misdemeanors in Maryland were at least of short duration. He was then appointed S. P. G. missionary to Barbados and became chaplain, catechist and doctor to the Codrington Estate, 1712 to 1714. This is an interesting case. Most of the books say that Maryland and Virginia were filled with the cast-offs of the S. P. G. It is generally claimed that the S. P. G. by reason of its strict control over the clergy was able to enforce a higher degree of discipline and that they therefore had better men. Here at least is one case where Virginia got rid of an unworthy priest who came to Maryland and did not last long there, and then was hired by the S. P.G.

Governor John Hart came into office in 1714. The Bishop of London wrote to him and directed him to look into the morals, behaviour and general effectiveness of the clergy in Maryland. He called them together in June of 1714 and says of himself: " Considering myself as a layman & unequal to the charge in hand, I was very tender in offering anything from myself, but digested her Majesty's instructions into Queries, a copy of which is enclosed to your Lordship with a representation of the clergy upon them, as also a letter from that Revd. Body." He then goes on to say: " There are among the clergy of Maryland many worthy persons, who deserve more encouragement than can be expected here. I am sorry to represent to your Lordship, on the contrary, that there are some whose education and morals are a scandal to their profession, & I am amazed how such illiterate men came to be in holy orders." [10]

[10] W. S. Perry, *Historical Collections of American Colonial Church*, IV, p. 78.

The answer to his series of queries on the part of the governor, listed by Perry (page 81), includes the names of twenty-one men. Of this list of twenty-one men, whom Governor Hart says includes some of " a scandal to their profession," let us see what charges can be brought against them.

Thomas Baylye is listed by Weis as being at St. Paul's Church, Baltimore, from 1712 to 1723,[11] and in 1724 at Newport parish, Isle of Wight, Virginia. Commissary Christopher Wilkinson in 1718 wrote to the Bishop of London: " At our last visitation the Church wardens made several presentments. One was of a Mr. Baylye (a clergyman lately come from the Western to our Shore in Somerset), for his excessive drinking, quarreling, and swearing, and I am very well informed that his behaviour hath been very irregular for several years past. I have cited him to appear in July next to answer the articles exhibited against him, and shall follow the instructions of my Commission." [12] It is obvious that though Weis lists him in Baltimore from 1713 to 1723, that in 1718 he is found in Somerset County on the eastern shore of Maryland and by 1724 he had been settled in Virginia for some time. And the only thing which saved him from judicial proceedings on the part of the Virginia Commissary was the fact that the Commissary's renewed commission from the new Bishop of London had not yet arrived.

Here is another case of a scandalous clergyman who kept on the move and for whom the Church's disciplinary action while it was not enough to unfrock him was certainly enough to prevent him from being a burden for any length of time in any particular place. On the other hand, though I do not minimize his drunkenness nor his swearing nor his quarreling, the word " scandal " must be taken with a certain degree of discretion, because we find that in one case the " grave scandal " which had been caused by Baylye was the fact that he had married a couple in a private house. We might even say that today we have not reached that state of grace where the marrying of individuals in private houses caused any degree of scandal whatsoever. So that Baylye does have something that could be said on his side of the case.

The second name on this list about whom any breath of scandal

[11] Frederick Lewis Weis, *Colonial Churches and the Colonial Clergy of the Middle and Southern Colonies 1607-1776* (Lancaster, Mass., 1938), p. 22.
[12] Perry, *op. cit.*, p. 107.

has been raised is that of John Donaldson. John Donaldson was a Scot and served as rector of King and Queen parish, St. Mary's County, Maryland from 1715 to 1747. There are two references which we have been able to discover which seem to imply any kind of misconduct on the part of Donaldson. The first of these is found in an anonymous publication called "Character of the Clergy in Maryland" which was written in 1722. This is a very interesting document. It lists twenty-two clergymen, gives their parishes and counties and a statement of character after each name. Some indication of the character of the writer of the document may be found in the remarks found placed after every man's name. For example, Samuel Skippon is called "a Whig & an excellent scholar & good liver." Joseph Colbatch is called "a Whig & one of the best of men." Robert Scott is called "a Whig, & a good Christian." Christopher Wilkinson is "a Whig & a truly good man." Henry Nichols is "a Whig & one of the best of men." Daniel Mainadier is "a Whig of the first rank & reputed a good liver but a horrid preacher."

But let us see what happens to John Donaldson. John Donaldson is called "a Grand Tory, a Rake." But he seems to be in Tory company for you find James Wilkinson is called "an Idiot, & Tory." Thomas Robinson is a "Grand Tory." George Ross is "a Tory & belongs to the Society." So it would seem that the character of a clergyman in Maryland to the writer of this interesting document in 1722 means that one must be a Whig or be damned.

This is further borne out by a letter written in 1724 by the Rev. Giles Rainsford. He castigates Donaldson for being drunk, for refusing the sacrament, and for lying. William Machonchie is also described by Rainsford as "a mere nuisance, & makes the Church stink." But when you look into the character of William Machonchie you find that he, like Donaldson, is a Scot. And then you turn to James Wilkinson, who is also among those who have incurred the wrath of Giles Rainsford, and you find that Wilkinson, like Donaldson and like Machonchie, is a Scot—he it was who was called "an Idiot, & Tory" in 1722.

When you put all this together, it seems to be quite obvious that the politics of the clergyman, whether he be Whig or be Tory, and that the origin of the clergyman, whether he be English or

be Scotch, had much to do with the kind of character which was ascribed to him by some men.

The next man to be considered in this list is Henry Hall. Henry Hall signed for the Royal Bounty on January 10, 1697/8 and was licensed to Maryland, became the first rector of St. James parish, Herring Creek, Ann Arundel County and remained there until his death in 1721. It is also said that he served for a very short time in 1694 in All Saints parish, Calvert County. So well thought of was he that in 1714 he was appointed Commissary for the Bishop of London in Maryland, but he refused to accept the position.[13]

In the visitation of Jacob Henderson in 1717 unnamed charges were brought against Hall. He asked for a copy of the charges which were given to him. Having read the charges he refused to accept the jurisdiction of the Commissary in the case.[14] Then in the following year, 1718, the Bishop of London wrote to Governor Hart concerning Hall and said his "character I am so well pleased with, that I am concerned with you to have removed him to make way for a person whose conduct has been so obnoxious."[15] In the same year, June 17th, Commissary Henderson wrote to the Bishop of London and said: "As they thus drew me in joining such application, so they told me it was necessary, in order to succeed, that I should lay aside the prosecution I had on foot against Mr. Henry Hall, Rector of St. James', for threatening your Lordship, & most audaciously contemning your authority and the exercise of it, and giving much scandal by Drunkenness. . . ."[16] Henderson continues and says that Hall had refused to accept the jurisdiction of the Commissary and had offered to have the charges against him adjudicated by four other clergymen. When they agreed that he should ask pardon from Henderson, Hall drew a remonstrance to the Assembly. But as you read the correspondence further you find that Henderson's only objection to Hall is that he and Thomas Cockshutt had "most scandalously" raised up a faction against Lord Baltimore because they claimed he was a Roman Catholic.

It is highly significant that when the clergy of Maryland set up what we should now call a Standing Committee to deal with the

[13] *Ibid.*, pp. 71, 82.
[14] *Ibid.*, pp. 95-96.
[15] *Ibid.*, p. 101.
[16] *Ibid.*, p. 110.

affairs of the Church and to consult with the governor, Henry Hall was the first of six such men named. Here again you find that the so-called scandalous charges against this Church of England priest are tied-up so clearly with his political endeavors that one can at least question the charges of drunkenness against him.

The next man on the list is one whom the governor can scarcely call an illiterate man for he is William Tibbs, Bachelor of Arts from Merton College, Oxford, 1698, and was rector of St. Paul's, Baltimore, from 1702 to 1732. Jacob Henderson writes concerning him on March 13, 1731/2: " Mr. Tibbs, against whom there is now a complaint lodged and which I transmitted to your Lordship, continues as bad as ever and proclaims defiance against any power whatever. He is rich and will make strong opposition. I dare not venture to call him to account for want of the Royal Commission." [17]

The charges of the church warden and vestrymen of St. Paul's against Tibbs to Commissary Henderson are found in Perry on page 309 and relate the following: (1) He lived outside of his parish. (2) That he set up his Clerk, a person convicted of felony, to read the service. His Clerk included the Absolution. (3) That he comes very seldom to church himself. (4) That he seldom administers the Lord's Supper. (5) That he refuses to bury his parishioners. (6) Though they admit that by reason of his great age and weakness he cannot perform the duties of his Station, yet he will not make any allowance to any of the neighboring clergy to assist him. (7) They cite instances of swearing and drunkenness and they ask that justice be done and the public worship of God duly celebrated in the parish.

Henderson in his letter of October 11th agrees with them. There seems to be little to be said in favor of Tibbs. He is one of the cases in which the charges against the Maryland clergy are undoubtedly true.

Here then are six men who signed the address to Governor Hart in 1714 along with thirteen other clergymen. Of these thirteen there appears no contemporary evidence which I have come across to show that they were in any way " scandalous." And even of the six men, the charge of " scandalous living " is so involved with the political exigencies of the time that one must be very careful in using it.

[17] *Ibid.*, p. 307.

One hopeless case for whom no defense can really be offered is that of John Urmston. John Urmston came to this country in 1709, was S. P. G. missionary in North Carolina from 1709 to 1720, then was employed temporarily at Christ Church in Philadelphia where he raised a faction, and then went to Maryland. In 1724 he became rector of North Sassafras parish in Cecil County, Maryland. His " scurrilous, profane, intemperate, mendacious " manner of living was such that he had a bad reputation no matter where he went. In 1731 the sheriff of the county refused to pay him and inducted Hugh Jones into the parish sometime prior to October 11, 1731.[18]

Urmston then seems to have crossed into Delaware, officiated for a time at Appoquinimy and at Lewes, Delaware. He died in 1732 when his lodgings were burned, probably while he was in a drunken stupor. It may have taken eleven years to try the patience of the Maryland laity to their utmost, but the point is that Urmston was dismissed from his position by reason of his scandalous conduct. I should say that this case, although one swallow does not make a summer, certainly gives evidence that discipline could be brought to bear upon the clergy when the case required it.

The next case is that of Thomas Phillips who matriculated at All Souls College, Oxford, 1698, aged eighteen. From 1707 to 1715 he was a missionary in the Leeward Islands. He arrived in Virginia in 1716 and was settled by Governor Spotswood in " the Parish of the Potomack River " in 1716. There is no parish in Virginia by that name and it is not possible to know what was meant by Governor Spotswood. Phillips only remained a year or two, and then removed to Newfoundland where he remained until 1720. He then became incumbent of the parish on Kent Island in Maryland in 1720 and was there as late as 1731. In the " Character of the Clergy in Maryland " Phillips is discussed as, " Tried for his life in Virginia for shooting a man. Reformed." [19]

The letter of the vestry of Kent Island to the Bishop of London dated July 17, 1726 pointed out that Phillips arrived in Kent Island without a parish and that the Kent Island parish had been without an incumbent for quite some time. They therefore hired him on a temporary basis, during which he behaved himself " gravely reverently and piously to the outward appearance,"; but that after

[18] *Ibid.*, pp. 310-311.

[19] *Ibid.*, p. 126.

his induction his true character was disclosed. They accused him as follows: (1) Of failure to visit the sick. (2) Of failure to bury the dead, unless he can preach a funeral sermon. (3) Of refusal to baptize infants unless the sponsors are communicants, and of being willing to accept communicants who are sinners in preference to non-communicants who are leading " acceptable " lives. (4) Of insisting on beginning the service on time. (5) " his example seems no more edifying than his behaviour relating to his office, for he keeps and now lives with him, a convicted transported woman servant by whom it is thought he has one Bastard, & which he keeps in the house with him, and has endeavored what he can to keep the whore from justice."

The first four charges would seem to indicate that Phillips was insufficiently bending in his attitude toward rural life, although he could have cited the Canons of 1603 in his own defence for they treat of like cases. The last charge, of course, is a serious one. But it is to be noted that though this letter is signed by ten members of the vestry and others this last charge is not by any manner of means proven for they themselves say, " by whom it is thought." For the sake of the record, however, we will grant that Thomas Phillips was one of the immoral clergy. He did not remove from the parish for another five years.

John Wright was licensed to Maryland in 1729 but he went to Virginia and held some parish there, and according to Jacob Henderson he ran away with another man's wife.[20] The woman was rescued from him and in 1731 and 1732 he was wandering through Maryland. Jacob Henderson wrote to the Bishop of London expressing the hope that he would not be inducted into any parish in Maryland. It seems that Henderson's hope was fulfilled because Wright was back in Virginia in Brunswick parish, King George county, in 1733 or 1734. Wright, therefore, cannot be attributed to Maryland for he never held a parish there.

This same sort of thing is also true in the case of James Cosgreve (also Colgreve, Congrave, and Congreve). We hear of him through a letter written by Henry Addison to the Bishop of London on October 29, 1766. He tells the whole story of Cosgreve, how he was an Irishman who lived a vagrant life strolling from place to place through most of the colonies, and had kept

[20] *Ibid.*, p. 302.

a " house of public entertainment " in Philadelphia. He had been in the army in the siege of Louisburg. He then became a Master of the free school in Prince George county, Maryland. He married, and his wife left him within a week because of his violence to her when he was drunk. He got into debt and ran away. Then he seems to have been ordained in England, and, returning, officiated in Prince George county and at Annapolis. So indignant were the churchmen in those places that he was never inducted and moved on to North Carolina. He, too, must not be counted among the dissolute Maryland clergy.

We now turn to the case of Jonathan Boucher. Jonathan Boucher was one of the most prolific writers of any of the men who came to Maryland. He was born on March 1, 1737 (March 17, 1738 new style). He became a school teacher, and then came to America and became private tutor in a Virginia family. George Washington's stepson was among his pupils. He returned to England in 1762 for ordination. In 1771 he was appointed rector of Queen Anne's Parish, Prince George's, after having held two cures in Virginia.

Probably one of the most interesting books of colonial Maryland was that written by Jonathan Boucher entitled, " Reminiscences of an American Loyalist." This was reprinted in 1925 by the Houghton Mifflin Company and is well worth reading.

Boucher was a Tory, and was outspoken in his opposition to the American Revolution. He was threatened by the revolutionary forces around Annapolis that physical harm might come to him if he continued to preach in this manner. Consequently, having been threatened, he insisted on preaching on what he believed to be the truth and his last sermon was preached in St. Barnabas' church in 1775. He went into the pulpit, pulled a pair of horse pistols from the pockets of his cassock, placed them on each side of the pulpit and proceeded to preach. He ended his sermon by saying: " As long as I live, yea, while I have my being, I will proclaim, ' God save the King! ' " As he left the pulpit the militia gathered about him and marched him out of the church. He returned to England in 1775, held important posts there, and finally died in 1804.

Now the reason I mention Boucher is because one secondary writer, whom I have read but unfortunately did not make note of at the time, cited this case of a clergyman in Maryland who actually went into the pulpit armed with a pair of horse pistols and this was cited as an example of the dissolute lives lived by

the Maryland clergy. Here again is a case where a writer has pulled one instance from a man's life out of its context and has unfairly cited that as proof of a position which I consider untenable. The outspoken defence of what a clergyman considers to be right is usually cited as an instance of his high moral standing. It is for this sort of thing that we held Pastor Niemöller in high esteem during the war. It is for this that a hue and cry is raised over the case of Cardinal Mindszenty today. Yet when cited in the case of Boucher, it is used to prove his dissolute character.

The next case is that of Bennett Allen. Bennett Allen came from England in 1766, having been ordained by the Bishop of Oxford in 1759, and was a warm friend of Lord Baltimore. The Proprietor was so friendly to him that he directed Governor Sharpe to induct Allen into one or two parishes worth not less than £150. He was handsome in appearance, aristocratic, well-educated, but he was also called a controversialist, a brawler, a duelist, a gambler and a sot. It was he who was taken as the typical parson by Winston Churchill when he wrote his novel *Richard Carvel*. Because of Baltimore's letter Allen was inducted in January, 1767, into St. Anne's, Annapolis. Allen objected that this parish did not pay him enough to keep him in liquor. Consequently, contrary to the law, he was placed in charge of St. James', Ann Arundel county. He challenged Samuel Chew to a duel and attempted to cane Walter Dulany. He was then inducted into All Saints parish, Frederick county. The parishioners, knowing his reputation, attempted to prevent this. So to keep the peace and his pay, Allen withdrew to Philadelphia and continued to live there or in Hagerstown. He hired Jeremiah Berry and Daniel McKennon as curates, and he visited the parish church once or twice a year. He did, however, give some attention to the Antietam congregation. We also find Bartholomew Bennett referred to as a curate. Allen returned to England sometime prior to 1781.

Now the only difficulty with this story of Allen is that all of the references to him depend upon letters written by Jonathan Boucher. It is certain that no love was lost between Boucher and Allen for when Boucher left Virginia he had been promised by the governor that he would be inducted into the first vacant parish. Unfortunately for Boucher, Allen, armed with the letters from Lord Baltimore, appeared on the scene at the same time and con-

sequently was inducted into the Annapolis parish before Boucher. Boucher apparently never forgave him for it.

Another instance of Allen's attitude may be seen in his feeling toward the Germans who moved into western Maryland and settled around Hagerstown. They objected to paying their tax of forty pounds of tobacco per person for the support of the Anglican clergy when they had to support their Lutheran clergy in addition. Allen was sufficiently cognizant of their claim to pay the German pastor a portion of his income. To say the least, although we cannot approve of Allen, he was an interesting character.

We have now listed fifteen men about whom any definite charge of scandalous living has been found. These men and their charges are as follows:

Name	*Charge*	*Disposition*	*Analysis.*
Jonathan White	"Scandalous manners" aboard ship.	Rebuked — public confession accepted.	Proved
George Tubman	"Polygamist"—denied charge.	Died or was dismissed.	Doubtful
Joseph Holt	Adultery, drunkenness, fighting.	Left within 5 years.	Proved
Thomas Baylye	Drinking, quarreling, swearing. Married couple in private house.	To Virginia less than 5 years after citation.	Proved
John Donaldson	Drunk, refusing sacrament, lying.	Charge doubtful.	Doubtful
William Machonchie	A Scot—"makes Church stink."	Charge doubtful.	Doubtful
James Wilkinson	"an Idiot, & Tory."	Charge doubtful.	Doubtful
Henry Hall	Drunkenness, questioning authority of Commissary, political opposition.	Charge doubtful.	Doubtful
William Tibbs	Various negligences.	Probably proved.	Proved
John Urmston	Drunkenness, lying, etc.	Dismissed.	Dismissed
Thomas Phillips	Various charges.	Removed from parish after 5 years.	Proved
John Wright	Adulterer.	Never inducted.	Never inducted
James Cosgreve	Drunkenness, etc.	Never inducted.	Never inducted
Jonathan Boucher	Violence.	Not a true case.	Doubtful
Bennett Allen	Non-resident, drunkard.	War ousted him.	Proved

As we look over the list of these men and their charges it would seem to me that they can be summed up under the following headings. In the case of five men the charges have been proved against them, and they did not remove for some years after the charges had

been proved. In one case the clergyman was publicly reproved after public confession. One man was dismissed. Six cases are doubtful as to the validity of the charges. Two men, who probably have the charges proved against them, were never inducted into any parish, and therefore cannot rightfully be called Maryland clergy. There are, therefore, seven cases of undoubted scandalous behavior out of three hundred men known to have served in Maryland. You may determine for yourself whether or not this number is sufficient to charge the whole of colonial Maryland clergy with being " scandalous livers."

The thought will immediately occur, if this small number of cases be the only ones that can be proven against the Maryland clergy, why have so many historians accepted the charges against them, and why has the term " Maryland parson " come to be known as a synonym for a scandalous clerk? This question can be answered in several ways.

First, the clergy were supported by taxes. It is extremely doubtful whether any man in any kind of public service can be supported by taxes without having his name and character blackened. From the first settler until the present day Americans have been notorious in their opposition to any kind of taxation, and this is more particularly true when one's taxes are used to support any kind of religious establishment. It is even more particularly true when one does not agree religiously with the creed of that establishment. Consider what was said against New England clergymen by non-Congregationalists. If the clergy today were to be supported by taxes, it is probable that their characters might be besmirched in exactly the same way in which politicians also have a bad name among us. Whether it is true or not, people seem to want to believe any charge laid against a tax-supported person.

In the second place, as has been shown in the examination of the lives of some of these so-called scandalous clergymen, the politics of the time were so important to everyone, clergy and laity alike, that they were apt to charge their political opponents with all kinds of infamies. Throughout this period there were not only the two great English parties, the Whigs and the Tories, but also the Jacobites, those who supported James II and his heirs after the " Glorious Revolution." And since Scotland in general was willing to support James, every Scotsman was suspected of disloyalty to the English crown. Since some of the Maryland clergy were Scotsmen,

they were damned for being Jacobites, and if not Jacobites, at least Tories.

The third reason for the bad name of the Maryland clergy possibly came about by reason of the letters written by the clergymen themselves. There is a certain type of clergyman, not unknown today, who feels it his duty to be a Jeremiah, to point out all of the evils, all of the sins, and all of the misdemeanors in the church, apparently hoping thereby to raise the standard of religion. We know today that this type of person presents an entirely one-sided picture. He never sees the good in the church nor the good that the church is doing. He is apt to be a rather tiresome fellow, and if, some two hundred years from now, someone were to collect the written sermons of many of these clergymen, not only of the Anglican Church, but of every group who call themselves Christians in this country, they might be maligned for the supposed low state of Christian morality in A. D. 1949. This is not a true picture, and the same can be said of some of the Maryland clergy in the eighteenth century. In their letters to England they pointed out all of the trials and tribulations of the Church in Maryland probably with one purpose, the clergy wanted a bishop so that the fullness of the Church might be found in Maryland. And because there was a means of supporting a bishop, it was the hope that the Establishment in Maryland might provide the beginnings of the episcopate in the New World.

The fourth reason that might be given for the bad name of the Maryland clergy is that the governors themselves sought greater control over the clergy. No one else should control the clergy if the governor could prevent it. If the clergy needed control, legislation might be provided whereby the governors could extend their authority. This is seen in the case of Joseph Colbatch. The Bishop of London had informed the Maryland clergy that he was willing to consecrate a Suffragan who should have his See in Maryland, and the Maryland clergy joined together and elected Joseph Colbatch. He was prepared to go to London for consecration. Whereupon a decree of *ne exeat* was issued by the local government which prevented Colbatch from leaving Maryland for any cause whatsoever. And the desire to have a bishop was frustrated by the civil government which meant to have no opposition in its control of the clergy.

The fifth reason for the bad reputation of the Maryland clergy

is another instance of desire for control. As one reads the words of the day he can see that not only were the clergy wanting greater control over the laity, particularly with respect to an ecclesiastical court set up under a bishop, and not only did the governors want to control the clergy, but the vestries wanted to keep their control of the clergy as well. Part of the picture which must be considered is this desire on the part of the laymen to keep their control over the clergy. The anti-clericalism which one finds throughout the Maryland scene in the colonial era is part and parcel with the whole theme which underlies the English Reformation. Trevelyan is quite right when he sees the desire for lay control of the clergy and a general anti-clerical movement as the principle by which the Reformation was brought about in England. This same attitude is to be found throughout the colonial period in Maryland.

The last reason for the bad name given to the Maryland clergy depends upon the Non-Conformists, and more particularly upon those of Methodistical tendencies (I might say there were some of these within the Church in the early period as well), who damned every clergyman who did not have a heart-warming experience, a conversion, such as Wesley had known. As one reads phrases in Asbury's *Journal* and as he reads Bishop Meade's *Old Churches in Virginia* (in which by the way he has a section on the Maryland clergy) he can see that the " evil clergy " about which they speak were undoubtedly men who were performing their tasks in the same way that most Anglican clergymen perform them today, but who had little patience with the emotionalism of the frontier camp meeting. The attitude of these men, Asbury, Meade and the like, has been repeated time and time again by historians who depend upon them as sources.[21] One must question their objective attitude and realize that theirs is entirely a subjective representation, and is not entirely a true picture.

So much then for the evil lives of the Maryland clergy. Of necessity the worst of the lot have been examined.

Had time permitted some of the shining lights of the day might have been discussed in detail. There was Thomas Bacon, for example, whose monumental work on the laws of Maryland is a basic necessity for understanding anything having to do with the legal situation in the colonial period. There was Joseph Colbatch,

[21] Henry Cabot Lodge, *A Short History of the English Colonies in America* (New York: Harpers, 1881), is a perfect example of the anti-Anglican bias.

called by his brethren to be their bishop. Aeneas and George Ross, who served not only in Maryland but as S. P. G. missionaries in Delaware as well, have been written of in another place.[22] Then there was William Smith who wrote a book of chants and psalmody among other works, and to whom we are indebted for the Office of Institution of Ministers in the American Book of Common Prayer. There was William West, of whom even Asbury could say many good things, and from whom Asbury regularly received his communion. There was William Wilkinson, whose descendants were important people for several generations in William and Mary parish in St. Mary's county. There were Alexander Williamson, senior and junior, and Commissaries Wilkinson and Henderson.

These names are but a few of the many that could be mentioned and of whom any church in any age might well be proud. These men represent the better side of the picture. We must remember therefore, that they represent two hundred and ninety-three cases as opposed to the seven cases of proved "scandalous living" in the colonial period among the Maryland clergy.

[22] Nelson Waite Rightmyer, *The Anglican Church in Delaware* (Philadelphia: Church Historical Society, 1947).

AN EARLY VICTORIAN COLLEGE ST. JOHN'S, 1830-1860

By Tench Francis Tilghman

If, as Emerson liked to believe, history is but the lengthened shadow of a man, then the story of St. John's College for three decades before the Civil War is really the story of Hector Humphreys, its fifth Principal and a very remarkable person indeed. His administration of twenty-six years (the second longest in the history of the college) set a stamp on St. John's that endured until the days of Dr. Fell, an equally remarkable man. These two are responsible for the physical appearance of the college as we know it today and for much of its peculiar flavor during the nineteenth century.

Hector Humphreys was born in Canton, Hartford County, Conn., in 1797, and was graduated from Yale in 1818 with the highest possible honors.[1] As evidence of his brilliance, it is recounted that a Yale student of a much later day found penciled in a volume of Euclid in the library, beside one of the most difficult propositions, the single dramatic phrase "Humphreys stuck," a memorial of the one recitation he had failed while in college. After graduation he studied law and practiced for a year or so, although his mother had intended him for a Congregationalist minister. He did finally enter the ministry, but it was the Episcopalian; and he then turned to the familiar combination of teaching and preaching, and for seven years was Professor of Ancient Languages at Washington College, now Trinity College, at Hartford, Conn. When the Rev. William Rafferty, Principal of St. John's, died in August of 1830, the Board offered the Principalship to the famous Benjamin Silliman of Yale, and when he declined they turned to Humphreys, who accepted and arrived in Annapolis the following February.[2] The choice of such a man followed the

[1] J. G. Proud, Jr., *Biographical Notice of the Rev. Hector Humphreys, D. D., Late Principal of St. John's College* (Annapolis, 1857).

[2] Minutes of the Board of Visitors and Governors, Oct. 7 and Nov. 17, 1830.

established St. John's pattern: his predecessors, Vice Principal Higginbotham and Principals Judd, Davis, and Rafferty had all been Episcopal clergymen; in addition, the first three had been rectors of St. Anne's Church.

What sort of college did Humphreys find when he arrived in Annapolis in the winter of 1831? Let us try to reconstruct it as it appeared forty-two years after its opening. St. John's was still housed in but one building, now known as McDowell Hall but at that time still nameless. Three of the boundaries were as they are today: Tabernacle St. (College Ave.), the line of St. John's St. (the street itself did not exist then), and the waters of what has been at various times known as Sprigg's, Dorsey's, Graveyard, and College Creek. A long finger of this creek, called Strawberry Creek, thrust into the college grounds to a point where, on a modern map, it would touch St. John's St. just opposite the gasworks. This creek has long since been filled in, but as late as 1942 the outline of its mouth was still visible. On the fourth side, however, towards the river, the boundary-line was very different. At that time King George St. did not go beyond its intersection with Tabernacle St., and from this intersection the boundary-line went at an angle to the mouth of College Creek. This end of the grounds was marshy and contained a pond, known as Deep Pond. The college property of that time was approximately twice its present size, although most of it was apparently not used—except to accommodate the cows of the citizens of Annapolis which, during the summer, were pastured there at fifty cents a head, thus providing the college with a modest income. The term "College green," which occurs frequently in the records, seems to refer to the original four acres, the nucleus of the campus, on which its one building was located.

The student body was very small—much smaller, in fact, than during the 1790's, which had come to be known as "the Golden Age." There has been preserved at the college a "Book of Discipline" covering the years 1831-50, in which were recorded the recitations of students and the demerits given to them. From the lists included in this volume and from some notes in Humphreys' hand, we can see that the average enrollment during his

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Hereinafter abbreviated to MBVG. The second volume of these minutes preserved at the college covers the years 1826-1843. Subsequent volumes have been lost or destroyed, and the minutes are not resumed until 1878.

early years as Principal was about seventy. These boys all lived in town, many of them at their own homes.[3] In McDowell's time the younger boys had lived in the college building, but that was now entirely given over to class-rooms. Over this small student-body reigned an equally small faculty: the Principal, Mr. Sparks, Mr. Sudler, Mr. Duker, and Mr. Flusser, their fixed salaries ranging from that of the Principal, $2,000, down to that of poor Mr. Flusser, $200. However, the income from tuition—about two thousand dollars a year—was divided among the professors, each man being paid so much per head for the boys under him.[4] This system made the prompt collection of the fees a vital matter to the faculty, so that it was their custom to entrust this unpleasant job to one of their number, a custom that prevailed until the latter part of the century. That it was not always an easy task, a note, written during the ' forties and now in the college library, from an exasperated parent will show:

April the 3

Mr. Thompson I have not got the money at the present time or I dare ashure [*sic*]you that I would not stand as much dunning as I have stood from you at this time.

David S. Caldwell

The Board of Visitors and Governors had always taken their duty of being *in loco parentis* very seriously, and from the early days of the college had exercised a control over the minutiae of the students' lives that seems very strange today when similar governing bodies are far removed from the institutions they are supposed to manage. Far back in 1796 the Board had concerned itself with what the students should eat, and had decreed that for breakfast the boys were to have the best congo tea or coffee with good bread and butter, the tea to be sweetened with loaf sugar, the coffee with brown. They were to have milk with small hominy or mush or fruit. For dinner, fresh and salt meat. From May to October the beds were to be changed every two weeks; the rest of the year, every three weeks.[5] But as the nineteenth century

[3] The college library possesses a small book of notes in Humphreys' hand, apparently jottings for projected speeches or pamphlets. There are also many of his letters and reports to the Board.

[4] MBVG March 29, 1833.

[5] These regulations were printed for the benefit of Mrs. Dowson, at that time the matron in charge of the building.

moved into its second decade it was the moral nature of the students, not what they ate for breakfast, that concerned the Board. In 1820, just after one of the many crises and re-organizations that have all too often occurred in the history of St. John's, two circulars, one dated in July and one in October, were printed and distributed for the benefit of parents. " Annapolis," the Board proudly announced, " offers no opportunity for secret dissipation. Under the steady and energetic system now pursued . . . St. John's will once more resume its ancient reputation and dignity." But the Board, nevertheless, took no chances, or perhaps they did not believe their own words. The students were sternly prohibited from frequenting " taverns, billiard or ball rooms "—lest some lad should investigate for himself Annapolis' opportunities for secret dissipation.[6] But these prohibitions seem to have been of small concern to the students. Dancing offered an irresistible temptation. This is illustrated by the sad case of Mr. Charles Hanson, student in the Mathematics department. Apparently the austere beauty of Euclid did not suffice for Mr. Hanson, and he was had up before the faculty and charged with the enormity of having attended not one but two public balls.[7] So heinous was the offense that the faculty felt unable to deal with it, and Mr. Hanson was suspended until the Board could consider his case. The Board finally met and voted that the erring student be publicly reprimanded, to impress upon him and the entire student body the wickedness of going to a public ball in Annapolis. And, as a consequence of this side of local life, we find in the regulations for 1838 that " no student shall be permitted to attend a dancing school during college hours, nor shall any student be permitted to atend any practicing ball where wine or any other intoxicating drink is permitted to be sold or used, nor to go to any of said balls which are held later than 10 o'clock P. M." The Victorian Age had come to St. John's.

But though the college authorities seem old-maidishly fussy with their regulations against dancing, they did have their hands full. It was a rowdy age in American college history. Indeed, it was the coarseness of the national manners during this period that evoked the bitter strictures of Dickens and other foreign visitors.

[6] MBVG Oct. 23, 1820.

[7] Faculty Minutes, Feb. 1, 1833. Hereinafter abbreviated to FM. These minutes begin in 1831 and are complete to the present day.

Americans were offended by what Dickens wrote, yet the college records of the 'thirties sound remarkably like some of the American scenes in *Martin Chuzzlewit*. All of the students at St. John's lived in their own homes or in various boarding-houses around the town, and although they were supposed to spend the evening in their rooms, it was impossible for the faculty to keep any check on their comings and goings. The amount of drunkenness was astonishing. The couplet

> Hector, Hector, son of Priam,
> Have you ever seen a man as drunk as I am? [8]

supposedly addressed to the Principal by an irreverent and inebriated student may be merely a legend, yet the fact remains that fully half the sessions of the Board and the faculty during this decade was taken up with investigations of such cases. The student always "manifested due contrition" or "expressed great sorrow for his error," as the records hopefully and repeatedly noted, but he generally proceeded to get drunk and disorderly all over again. The faculty, try hard as they might, could not keep the students from sneaking off to the Citizens' Ball or the Colts' Ball or to what was rather vaguely described as a "party of pleasure at the Ballroom." They made disturbances in the town. Prof. Sparks reported that "Friday night between 9 and 10 the neighborhood in which he resides was alarmed by the clamorous noise of some young gentlemen, apparently intoxicated." He had a grim suspicion that they were students of St. John's.[9]

Their other frolics were not so harmless nor so easily explained away as mere youthful exuberance of spirits. For example, student Francis Lockerman was before the faculty in 1834 for having "premeditated and executed an assault upon the person of his professor," Mr. Duker.[10] For this he was expelled, the first time in the college's history that such a penalty had been inflicted. In 1835 student Tuck had a fight with an apprentice boy on the college green, one early autumn evening, and the faculty dreaded the outbreak of a series of town and gown battles and devoutly expressed the hope that masters would keep their apprentices at

[8] Quoted in *Commemoration of the One Hundredth Anniversary of St. John's College*. Published by the Alumni Association (Baltimore, 1890).
[9] FM. Nov. 23, 1834.
[10] FM. May 5, 1834.

home after dark. Eventually, the Board found it advisable to pass a rule forbidding the students to carry weapons of any description—and this rule was not the result of idle fears, because shortly afterwards student Tyler got intoxicated at the circus, returned to the campus, and used a dirk knife on his schoolmate, Mr. Reeder, wounding him seriously " without just provocation." [11] Instead of being sent to jail, Mr. Tyler was suspended from his classes for two months and confined to his room. In October, 1837, W. T. Claude, W. C. Tuck, and S. Tyler were at Mr. Caton's house " which is known to be kept as an open house for the drinking of ardent spirits." [12] The evening being perhaps a little dull, student Tuck enlivened matters by drawing a loaded pistol upon one of the patrons of the establishment. For this he was suspended for a month. And finally, in the same October, Robert Welch, Esq., complained to the faculty that his servant had been assaulted with a sword-cane wielded by Master Richard Furman Chaires of the Grammar School. If the small boys of the Grammar School were flourishing swords on the streets of Annapolis and attacking innocent citizens, the college must have been a desperate place indeed. Nor were the faculty always beyond reproach. For example, Charles Dumas, appointed Professor of Modern Languages, had, by the end of five months, absconded with money obtained by fraudulent means, leaving behind him a cloud of unpaid debts and the memory of " various deceits " practiced upon the townspeople. One can easily see that St. John's was a quite lively place.

Such conditions were not to last, however. As an anonymous bard put it:

> But Humphreys came, and learning smil'd again,
> As sober discipline resumed its reign.[13]

These lines were singularly appropriate. Neither sobriety nor discipline was conspicuous on the St. John's campus, and the new Principal's first task was to restore both. This he did with singleness of purpose and amazing rapidity. He realized that the students, living all over Annapolis, must somehow be got on the

[11] MBVG, Sept. 25, 1835; Sept. 23, 1836.

[12] Mr. Caton was an eccentric tavern-keeper of the period, whose establishment was on West St. The *Maryland Gazette* of this decade contains many of his advertisements, often addressed to his " cousins the President of the United States and the King of France."

[13] *The Alumnus of St. John's* (Washington, 1843).

campus where they could be kept under proper surveillance. The best means to this end would be the erection of some kind of dormitory. With this the Board heartily agreed—they, too, were worried. In the advertisement of 1820 the purity and innocency of Annapolis had been stressed, but that was only for publicity or perhaps the city had degenerated. In 1832 they shook their heads and admitted gloomily that " We often hear that our city has the reputation abroad of being dissipated and immoral." But a dormitory would offer " fewer temptations to idleness and dissipation." So they appointed a committee to study the question. The committee brought in a report that covers pages in the minute book.[14] The gist of it was that the Principal was to be empowered to collect, if he could, the sum of ten thousand dollars by private subscription and, that having been accomplished, to erect any kind of building he thought best.

It is a tribute to Humphreys that he, a New Englander and virtually a stranger in Maryland, should have been able to collect eleven thousand dollars by April, 1835. In June the cornerstone of the new building was laid. It was to have in the basement one public room and the necessary kitchen and pantries. Upstairs would be twenty-five rooms, to hold fifty students, and accommodations for a professor and his family. The cornerstone was laid by Judge John Stephens of the Court of Appeals, and the principal address was delivered by John Johnson, a member of the Board.[15] He had a weakness for the earthquake-and-eclipse style of oratory, then at the height of fashion; but somehow the building survived, to be known for over twenty years merely as " the boarding-house." [16] It was apparently finished in September, 1837, for the Board at that time ordered that the door should be locked at 9 each evening and no student allowed out. Further, no student not lodging there was to be allowed in. A young gentleman residing there was not going to have the opportunity of attending parties of pleasure in the ballrooms of Annapolis if the Board could help it. And once having acquired the building and put the students into it—residence therein was made compulsory for all out-of-town boys in 1841—the faculty lost no time in

[14] MBVG, July 25, 1832.

[15] *An Account of Laying the Cornerstone of the New Building at St. John's College* (Annapolis, 1835).

[16] It received its present name of Humphreys Hall in August, 1857, at the suggestion of J. G. Proud.

tightening the screws until they had built up a set of regulations that would have done credit to a convent. Students were required to pay for the lighting and heating of their rooms and to provide their own furniture—but they could spend only such pocket-money as the professor in charge saw fit to dole out. The evenings must be spent in study; and lest their serious pursuits be interfered with, they were all solemnly warned against "promiscuous light reading." Boys of under fifteen had to be in bed by nine; older boys, by ten. And by 1841 the faculty had even forbidden them to leave the college grounds without special permission, as if the very atmosphere of Annapolis might endanger them. Several boys got into trouble for merely walking down-town. To their eyes, secluded from the world, the streets of the city must have presented a very gay picture. "The ladies," one student of the 'fifties wrote to a friend, "strut the streets in groups of ten or a dozen and seem to be reigning queens." [17] Of course, public places of amusement were tabu, and now private parties were also forbidden. A student could not attend an entertainment in the most respectable home in Annapolis without the express permission of the Principal. Mr. Tyler, for example, was in hot water for having been present at the Governor's rout. The adventures of another student who collided with the strict rules laid down by Dr. Humphreys for the boarding-house appear in a special report from the Principal to the Board:

> On the night of the 5th of May student Mason was refused admission into the new Building, and passed the night in the College Porch. The Board are referred to "the Book of Discipline" for the Secretary's Report of Mason's case. It appears he obtained leave to go into the City, on *business*, as he said, and to return *before dark*. He spent the evening at a private party, and did not return until half past 10 o'clock. The hour to be at lodgings now is 9 P. M. and the time for bed is ten, when the doors are fastened for the night. . . . The Faculty considers that Mason was sufficiently punished for his infraction of the Rules by late hours in passing his night in the porch, where, it appears, he had blankets received from above. . . .

Rules, alone, however, were not enough for Dr. Humphreys. In his notes for 1851 he meditated upon the possibility of surrounding the campus with a ten-foot brick wall—not to keep strangers

[17] Andrew Grant Chapman to William A. Stewart, June 14, 1857. Chapman Letters, St. John's College Library.

out but to keep students in. He felt that young men in America enjoyed too much liberty. Fortunately for the students, he could never find the money to build the wall.

It must be said for Humphreys, however, that he was impartial in his discipline; he was as stern with his faculty as with his students. Members of the faculty were not supposed to leave the campus for a moment during the day, nor were they ever to be a moment late for class. Humphreys was a rigid as any drill-sergeant on this matter of punctuality. The college archives contain dozens of his reports to the Board, made every quarter, of which the following is a fair sample:

St. John's College Nov. 30, 1842

The attendance of the Professors of this College, at their Recitations, has been punctual, during the past quarter; and no absences have occurred except for good cause.

Hector Humphreys

Further light on Humphreys' relations with his faculty is thrown by Prof. Stearns in a pamphlet published near the end of this period.[18] Although it is written in obvious bitterness of spirit, the pamphlet does show the unfortunate side of Humphrey's excessive rigidity. Stearns, who had resigned from the faculty, as he said, " in disgust," in 1853, had a long series of charges to bring against the Principal and of explanations as to why St. John's still remained a small provincial college. One of the most obvious causes of this failure, as he saw it, was that the faculty was horribly over-worked. A professor was expected to spend at least six hours a day in the classroom and then go home and prepare whatever lectures might be assigned to him. And plenty were assigned, for, as Stearns openly charged, Humphreys was a hard task master. The result was that the half-exhausted instructors, whose hours were far longer than those in any other college Stearns could think of, were drained of all vitality and gave only a routine, mechanical performance in the classroom. Nor could Stearns condone the excessive discipline that Humphreys imposed on the students. As he put it, " Young men will not come to an institution that treats them as boys and puts them under school-boy discipline."

There was, however, at least one day in each year on which the

[18] *Letters to T. Watkins Ligon, Governor of Maryland, by Rev. E. J. Stearns* (Baltimore, 1855).

rules were somewhat relaxed: that was Commencement Day, held from 1827 to 1855 on Feb. 22. A letter, now in the Hall of Records, written in 1836 to ex-Governor James Thomas, whose son, William Henry Thomas, was a member of the graduating class, shows the lighter side of the picture:

Council Chamber
Feby 22, 1836

My Dear Sir

Your very esteemed favor of the 19 Inst. I have read. It pains me to hear that you have been confined to your House ever since your return home; & likewise that your daughter is confined to her chamber. When the severe weather passes off, I hope most sincerely, you may both be restored to the joys of sweet health. This is commencement day, & I have just returned from the college, where I witnessed a most interesting exhibition. *All* the graduates acquited themselves with *great ability*, and *especially your son*. His address was *admirable*, delivered with fine effect and good taste. Mr. Goldsborough told me, with a little practice he would rank among the first speakers of our country. His voice good, articulation clear, & action graceful. Had you been present it would have done you good. Mr. Goldsborough's address appropriate and eloquent. The company *very* large. In a word the whole ceremonies were solemn & affecting. I never gave a hundred dollars in my life with more pleasure than I did to St. John's College. In a few years, this college will take rank among the best institutions in our country. I am interrupted & I must stop. I desire to be remembered to Mrs. Thomas & your Daughters. Accept my sincere wishes for your speedy restoration to health, & the assurance of my unabated attachment & esteem.

Nathl. F. Williams

We can obtain a fuller picture of how these commencement days were managed from that of 1852, since this particular commencement was, for some reason, considered worthy of being embalmed in a pamphlet.[19] The exercises, in what is now known as the Great Hall, were as follows:

I. Oration: Chivalry—with the Salutatory Address in Latin: William Sprigg Hall
II. Oration: The Issues of the Nineteenth Century: James Iglehart, Jr.
III. Oration: The Pleasures and Enjoyments Connected with the Pursuit of Science: William Sanders Green
IV. Oration: Dramatic Literature: J. Pinkney Sparks
V. Oration: Fancy versus Fact: Thomas J. Wilson
VI. Oration: Genius, Its Responsibilities and Rewards—with Valedictory Address: Charles Brewer [20]

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[19] *Some Account of the Commencement of St. John's College Annapolis and the Attendant Exercises. February 23 1852* (Baltimore, 1852).

[20] It may be well to remind the reader that the name "Great Hall" is a modern

These effusions—which, by faculty decree, were mercifully limited to ten or twenty minutes—were delivered with "propriety and spirit," and in them we see the almost unrecognizable descendants of the syllogistic disputes of the pre-Revolutionary colleges.[21] This appetite for oratory seems inexplicable to our generation, but the performance does represent the last of the tradition of a "public act" on the part of the graduating student. After the orations had been got through with, the company adjourned to the boarding-house where, in the large room over the library, the alumni partook of an "elegant and substantial supper." Governor Lowe proposed a toast to Washington, and Dr. Abram Claude one to "The Naval Academy and the Officers of the Navy—we rejoice at the presence of the first at Annapolis, and of its representatives at our festival." This toast was answered by Prof. Chauvenet of the Academy, and the evening drew to a close with another St. John's class graduated into the world.

This commencement illustrates quite well a significant change that was taking place. Such exercises were no longer purely intellectual performances, as they had been in the eighteenth century, and were becoming, to a greater and greater degree, social occasions arranged for the entertainment of visiting alumni and of friends and relatives of the graduating class. The commencements of the 'fifties reflect the transitional stage.

The St. John's students of the latter part of the Humphreys era were a very different lot from the roistering bucks of the early 'thirties. The college itself lost no opportunity of dinning into their ears the great change in manners and morals: even the report cards carried a glowing description of the virtues of Annapolis and of St. John's. There is, for example, the report sent to the family of Daniel R. Magruder, valedictorian of the class of 1853, on which, below a picture of the two college buildings, is this assurance addressed to parents:

> Society here is highly respectable and refined, and maintains a wholesome and effective public opinion, which necessarily restrains the conduct of young men who are amenable to it. . . . An unfounded prejudice, in regard to the character of the place for health and morals, must be

pseudo-antique term, first applied during the 1920's. The room was originally referred to merely as the "hall in the college building."

[21] See James J. Walsh, *Education of the Founding Fathers of the Republic* (Fordham University Press, 1935), for a discussion of this aspect of early education.

rapidly dispelled by the united testimony of the families who have taken their residence in the Naval Academy, from different States of the Union.[22]

So much for the town: as for the college, gradually the Principal had been enforcing some kind of law and order; and while the college was by no means so picturesque, it was probably a much safer place in which to live.[23] When we examine the faculty minutes, we no longer find references to dirks, pistols, and sword-canes. Instead, we encounter such pranks as that of student Dashiell who introduced a mouse into the recitation room and then, when the class was kept in, " reclined on the bench and snored." To be sure, student Elliott put gunpowder into the stove, but somehow it failed to explode; and the faculty, finding the roof still on the building, were inclined to be lenient.[24] With his usual thoroughness Humphreys had worked out a scale of punishments by demerits which succeeded in covering most situations:

Absence from recitation	5
Not prepared for recitation	3
Misconduct in class	5
Absence from grounds during study hours	5
Leaving town	10
Absence from church	5
Damage to college property	5 [25]

This list seems to evaluate neatly the sins that a college student of the mid-nineteenth century might be likely to commit. But the awe-inspiring Principal had tamed these lads quite thoroughly. Nothing, for example, could be more demure than this petition found among the Humphreys Papers, hopefully submitted to the Board about 1850:

To the Trustees of St. John's

The students of St. John's desiring to give a small " May Party " in compliment to the young ladies of the school over which Mrs. E. Converse has the honor of presiding do very respectfully request of your Honorable body permission to give the same. And we also respectfully request your

[22] Kindly lent to the author by Miss Mary R. Magruder, formerly of Annapolis.

[23] The moral state of Annapolis always worried the Board excessively. Thus the Triennial Catalogue, 1858-59, triumphantly proclaimed: that because of the " healthful moral influence of its oldest and most respected families the church has literally displaced the theatre." As a result of this, " other cities have been devastated by cholera and yellow fever," but Annapolis had " uniformly escaped."

[24] FM Jan. 9, 1857.

[25] FM May 16, 1856.

Honors (if it be convenient) to grant us the liberty of holding the same in one of the rooms belonging to the college property. Or if it is inconvenient, that you grant us the liberty of holding it in the city.

Your honors as well as the professors of St. John's are respectfully requested to be present, to see and know that all things are conducted properly.

J. P. Sparks
J. Iglehart, Jr.
W. T. Iglehart
R. H. Brewer
R. H. Green
C. W. Stockett

One would like to know if this timid request were granted and if the becrinolined young ladies under the care of Mrs. E. Converse were agreeably entertained on that afternoon of a long-forgotten spring. But certainly the moral tone of the college was high. Witness the indignation of Prof. Capron, writing in 1842 to Col. Moale of Baltimore.[26] The latter's grandson had been expelled from the college for playing cards and, upon arriving home, had spread the report that Prof. Capron was himself so morally lax as to indulge in checkers and backgammon. The professor hastened to deny the charge:

Another misstatement in regard to myself personally, that I play Chequers and Backgammon. Chequers I am entirely unacquainted with, and his gratuitous information is, in this respect, *impudent*, to say the least. Backgammon I often play with my Father, but so far from *permitting* the students to play these or other games, I censure them for so doing. . . .

But the students were not completely without means of amusement—at least of an innocent nature—for, in September, 1851, the Principal so far unbent as to forward on their behalf this request to the Board:

The students who reside with Mr. Worthington [i. e., those living in the boarding-house] ask leave to construct, at their own expense, a *Ball Alley* on the college ground; and it is understood to be not a *Bowling* alley; but an upright plank surface, from which a Ball is to rebound, when struck by the hand; it being their object to pursue this Recreation as a *healthy* Exercise.

This is, by the way, perhaps the first reference in the college records to anything that might, even remotely, be called athletics.

It is unfortunately impossible, within the limits of a short paper, to give an adequate account of Humphreys' long struggle with the

[26] St. John's College Library.

Legislature on the subject of grants to the college; to do so, would necessitate going back as far as 1805 or even farther to trace the fortunes of this contention. Nor is it possible to describe his contributions to the educational system of the college; again, it would be necessary to present a long review of the changing patterns of study, as the old fixed curriculum, depending heavily upon the classics, slowly gave way to the modern elective system and modern courses. It can be said only that it was Humphreys who introduced into St. John's the study of modern science in place of what had always been known as " natural philosophy." He was typical of his age in his admiration for applied science and his tendency to judge the world in which he lived by the supposed benefits of industrialism.

His last contribution to the college was the building programme, begun in 1855. Somehow he galvanized the Board into action and converted them to his own way of thinking that the college should be, as far as possible, a community to itself. The town might, on occasions, come to the college, but the college should not go to the town. The first problem, then, was to provide living-quarters for the faculty, something that had not been done for many years. There is clear evidence in the college records that the first Principal, McDowell, who was a bachelor, lived in the original building along with another faculty-member and Judd, the second Principal, did likewise—in fact, he set aside nearly a third of the building for his own use. Then for a long time the professors lived in town, until the completion of the boarding-house provided quarters for one man and his family. During most of this period Prof. David J. Capron was the occupant. In order to get them all on the campus, the two blocks of houses at either end of the row were ordered. Because of the loss of the records it is impossible to say with any accuracy in just which order the two groups were constructed. Riley says that the two on the southwest end were built in 1855 and the two on the northeast end in 1857.[27] This is probably accurate enough: we know that no houses were there in 1855, and the Sachse print of Annapolis, made in 1857, shows all four of them completed. It is often stated that the two houses at the right-hand end of the row were intended for Principal and Vice-Principal, which, in view of their greater size and elaboration, seems plausible.

[27] Elihu S. Riley, *The Ancient City*. (Annapolis, 1887).

The new dormitory, projected as the other part of the building programme, was by no means a fulfilment of a need; it was, rather, a gamble on futurities. The boarding-house of 1835 had been built to accommodate fifty students, and this had been ample for the student-body of that time. In spite of Humphreys' best efforts, the college had grown only very slowly. During the years 1850-55 the enrollment averaged eighty-two, and by 1858 it had increased to only one hundred and four.[28] Consequently, a new building was an expression of hope rather than a necessity.

We cannot tell exactly when the new building was finished. Proud, in his eulogy on Humphrys delivered on August 5, 1857, speaks of it as " just erected " and as yet nameless. It was formally dedicated at the commencement exercises the following summer, and the local newspaper gave a preview of the festal scene. The exercises were to be on August 3, and at 10 A. M.: " The new college will be set apart for its high purposes under the style and title of Pinkney Hall with a Religious Service and addresses." Barrett's full band was to play, and in the afternoon there was to be a dress-parade on the college green. That night, according to a programme preserved among the Chapman letters, the commencement ball was held in the new building.[29] This is the first record of a ball at St. John's College. An age was drawing to a close.

The college circular for 1856-7 spoke of the new building as a " fine large edifice " that would have accommodations for about one hundred students besides suites for assistant professors and tutors. It was named for William Pinkney (1764-1822), minister to England and Russia, Attorney-General under Madison, and one of the most distinguished Maryland lawyers of the early nineteenth century. He belonged, of course, to the generation of Marylanders before the founding of the college, but according to his nephew and biographer, he had attended the old King William's School, where he studied under a teacher with the somewhat odd name of Bref-hard.[30] If this be correct—and we can surely assume that the nephew had accurate information and knew what he was talk-

[28] *Proceedings of the House of Delegates*, Jan. Session, 1856, pp. 824 ff. Report of the Committee Investigating St. John's; *Journal of the Proceedings of the House of Delegates*, Jan. Session, 1858.

[29] Annapolis *Maryland Gazette*, July 29, 1858.

[30] William Pinkney, *Life of William Pinkney* (New York, 1853), p. 14.

ing about—Pinkney has the unique distinction of being the only absolutely identifiable alumnus of King William's School. His special significance for the college lay in the fact that he had—at least according to tradition—protested violently against the behavior of the Legislature towards the college in 1805.

Humphreys did not live to see the completion of his building programme. Nor is it likely that, had he lived, he would have been at St. John's to see it. As his life was drawing to an end, he wrote to his nephew: " I am getting heartily tired, however, of my position here, and at the close of another year will go to some other employment, if I can find something which I can do." [31] Years of struggle with the endless problems and vexations of St. John's had been too much for even his enthusiasm for the cause of education.

He died, after a brief illness, on January 25, 1857. The students resolved to wear mourning-bands for thirty days; and Dr. Nelson, Rector of St. Anne's, where Humphreys had often officiated as temporary assistant, preached his funeral sermon.[32]

That Humphreys was, in many ways, an extraordinarily able man there is no doubt. He seems to have produced a feeling very like veneration in those, especially his students, who came into contact with him; and the modern reader is apt to grow a little bored with the numerous references to " that majestic form," " that deep-toned voice," and " that constant Christian courtesy." One feels the typical contemporary urge to try a bit of de-bunking. But Humphreys was the sort of man who cannot easily be debunked. His achievement at St. John's was a very genuine one. Of course, he had one great advantage over the men who had preceded him in office: time, in which to get something accomplished. His long administration of twenty-six years gave him far more opportunity to study the college and its problems and to make himself a force in the community than the others had had. But in judging him one must guard against the fact that, through historical accidents, we know more about him than we do about any of his predecessors; he is, for example, the only early Principal whose biographical sketch was written by a contemporary. More

[31] Letter to Howard Foote, Nov. 11, 1856. St. John's College Library.

[32] *The Cloud of Witnesses: A Funeral Sermon Preached in St. Anne's, Annapolis, Septuagesima 1857 by the Rector* (Annapolis, 1857).

of his speeches and notes survive.[33] Of the early Principals, Judd, Davis, and Rafferty, not a single trace, in the form of written material, has come down to us. Of McDowell, we have only his address to the class of 1794, which it must be admitted, is a commonplace production. So, because of a greater knowledge, Humphreys seems a much more living figure.

If he did not literally find St. John's of brick and leave it of marble, he did, figuratively, something very like this. In 1831 he took over a college housed in one building, with a dwindling student body and a yearly income of $2,200. When he died, St. John's had one academic building, two dormitories, one of which contained a dining-hall, and four homes for professors. The yearly income was about $7,000. At the time of his arrival in Annapolis, there was no laboratory on the campus, no modern science worthy of the name was taught, and the library was utterly inadequate. He expanded the curriculum to include what were then the latest scientific fields; he assembled equipment of a sort that made even Stearns, one of his critics, admit that the laboratory was good and the collection of minerals one of the best in the country. The library had 4,000 volumes.[34] No such man would rule over St. John's again until Dr. Thomas Fell took office thirty years later. It is interesting to note that, with the exception of "Bladen's Folly" or McDowell Hall, every building on the campus was built by one or the other of these two men.

As the obituary notice said of him, Humphreys was "outwardly . . . stern, as became his vocation," yet he was not without a certain sardonic humor.[35] And like all New Englanders, he had a passionate, almost mystical, veneration for education. The indifference of Marylanders towards it and their unwillingness to support their own ancient colleges puzzled him for twenty-six years. And with keen insight he perceived one of St. John's greatest weaknesses even at that period—its inordinate love for its own past. From the jottings in his note-book it is evident that he had been making a good many discreet inquiries around town about the old days; and in the Annapolis in which he lived there were of course numbers of men who could remember the St. John's

[33] *Inaugural Address of Rev. Hector Humphreys. Feb. 25, 1832* (Annapolis, 1832); *Address to the Alumni and Graduates of St. John's College. February, 1835* (Annapolis, 1835).

[34] Circular of St. John's College Reorganized, 1855.

[35] Annapolis *Gazette*, January 29, 1857.

of McDowell and Higginbotham—and who, characteristically, had probably held forth on the glories of the past. The Principal had, on the whole, a rather low opinion of the college as it had been in the 1790's. Of McDowell and Higginbotham he gathered the impression that they had been good teachers, but for the rest of their faculty he had only thinly-veiled contempt. He called them " rather rough Christians," and felt that their only claim to fame was the vigor with which they had birched the unfortunate students of an earlier day. Yet he was himself, by modern standards, the sternest of martinets. But there was a real reason for this disciplinarianism. One cannot blame it all on an ingrown Puritanism. It was an extraordinarily rough age in all strata of society, and this was reflected in college life. And if the Principal did haul a student up before the faculty for the crime of stopping at a West St. restaurant to consume a dozen or so raw oysters and if the students did devote an inordinate amount of time and energy to the sport of sneaking off campus, learning and discipline did at last return to St. John's.

A BALTIMORE CIRCUIT CAMP MEETING, OCTOBER, 1806

Edited by CHARLES A. JOHNSON

The revival tide that swept over the Trans-Allegheny West in the closing years of the eighteenth century engulfed both religious apathy and the deistic beliefs that had appeared after the Revolutionary War. In the spiritual awakening, known in history as the Great Revival of 1800 or the Cumberland Revival, a new weapon of evangelism was forged—the frontier camp meeting. Previous protracted services had occurred in " forest temples," but in 1800 when the planned practice of camping out was added to the continuous outdoor meeting in Logan County, Kentucky, the revival institution was established in its fullest sense.

The hunter-farmer of the backwoods, whose life often seemed spiritually, morally, and culturally destitute, was enthralled by this new religious device. With its sociability, its simplicity of service, its emotional magnetism transmitted through four or five days of fervent oratory, shouting, group singing, and the inspired prayer of preachers and worshipers alike, the woodland revival afforded the major outlet for the pioneer's pent-up emotions. Undoubtedly, such a popular means of personalized religion could not have flowered in the United States without the existence of a vast area of free land and a temperate climate.

A Presbyterian product of necessity, the camp meeting grew out of the lack of worship and housing facilities for the large crowds who sought religion at the Reverend James McGready's sacramental services. The custom found a ready acceptance in the settled areas of Kentucky and Tennessee. This was the era of " The General Camp Meeting," where the unusual was the usual, where Presbyterian, Methodist, and Baptist ministers worked side by side, where the crowds numbered in the hundreds and frequently the thousands, and where scores were swept into mass hysteria by the frenzied proceedings.[1] By 1803 the religious ex-

[1] These tumultuous camp meetings are carefully chronicled in Catharine C.

citement had penetrated the Ohio settlements, western Pennsylvania, and had spread back into western Georgia, the Carolinas, Virginia, and Maryland. Soon afterward, camp meetings blanketed the young nation, both East and West.

Yet ever since its appearance in the opening year of the nineteenth century the value of the outdoor revival has been the subject of fierce debate among participants and church and secular historians alike. This situation has been due largely to the noise and disorder prevalent at its services and its deliberate use of emotional excitement. The distortions so patent in many nineteenth century accounts are also marked in a great number of present day studies of western society. The fault of these modern writers, products of an urban culture for the most part, lies mainly in their acceptance of part of the camp meeting story (the Great Revival) as representative of the whole. The paucity of factual data has also contributed to the caricature of the open-air revival.

Contemporary factual descriptions of early camp meetings occurring after the Cumberland Revival are exceedingly rare. Those available are usually in the form of a passing reference to it found in the circuit riders' personal and official letters or in their memoirs and autobiographies. The preachers' colorful portraits are often rich in revival lore, but they are frequently drawn from fragmentary notes or memory, blurred by the passing of many years. Although the Methodist Episcopal Church adopted this religious weapon as its own by 1805 while the Presbyterians and Baptists were largely discarding it, its annual conference records are silent on the subject. This strange circumstance is explained by the fact that the camp meeting was never an official institution of that denomination, but only an " extra occasion in the economy of Methodism." [2]

The usual sources, then, offer but fleeting glimpses of a socio-religious institution which was so significant on the American frontier and in the more populous East during the first half of the nineteenth century. Often the researcher is confronted with such vague reports as the one from an Illinois encampment in 1807: " This was a great day—the work became general, the place

Cleveland's *The Great Revival in the West. 1797-1805* (Published Ph. D. dissertation, Chicago, 1916).

[2] Editorial of Thomas A. Morris, *Western Christian Advocate*, August 15, 1834.

was awful, and many souls were born of God." [3] In the light of these circumstances, the accompanying eye-witness sketch of a Maryland camp meeting of early October, 1806, by the Reverend Henry Smith, has an enhanced value.[4]

The fact that the daily order of worship was systematized, as outlined by Smith, is indicative of the changing character of this instrument of evangelism. Orderly services were realizable when Camp Meeting Rules were drawn up by the camp leaders of the West as well as the East. His description, moreover, enables one to visualize the physical arrangement of the encampment which was comparable to the camp grounds of the backwoodsmen. Here, the Altar Services are also described. These were held both in the afternoon and evening, and were the high point of any outdoor revival. Emotions often reached their bursting point and conversions were plentiful as the penitent seekers were appealed to through song and prayer, sermon and exhortation. Finally, the account is unique for its informative statistics.

The pedigree of this document, a letter extract copied by the veteran itinerant, Benjamin Lakin, is of interest.[5] Apparently, preacher Smith began a correspondence with Lakin after replacing

[3] Quoted in James Leaton, *History of Methodism in Illinois, From 1793 to 1832* (Cincinnati, 1883), p. 54.

[4] The years 1805 and 1806 were a harvest time for the camp meeting in many regions, including the state of Maryland. Bishop Francis Asbury, an enthusiastic champion of the revival, reported on this promising state of affairs in a letter to Henry Smith, dated Montgomery, Maryland, July 20, 1806: "I have good reason to believe that upon the Eastern Shore four thousand have been converted since the first of May last, and one thousand sanctified, besides souls convicted, and quickened and restored. . . ." Quoted in Henry Smith, *Recollections and Reflections of an Old Itinerant. A Series of Letters originally published in the Christian Advocate and Journal and the Western Christian Advocate*, ed. George Peck (New York, 1849), pp. 124-125. The next year Asbury commented again on the great numbers converted in the Free State's revivals in a letter to the Reverend Elijah Gedding, dated Rembert Hall, South Carolina, December 14, 1807: "Mark well. I have either seen or heard, directly or indirectly, from most of the thirty-five Districts but some official letters are not come to hand. But from what I have collected, Camp Meetings are as common now as Quarter meetings were twenty years back in many Districts, happy hundreds have been converted; in others happy thousands. Glory! Glory! Glory! Reputable report says, in the East of Maryland, last August, [a] Camp Meeting [lasted] eighteen days, 2500 or 3,000 converted. Oh my Brother, doubt not, the good news you bring, will come to be general." See Letters of Bishop Francis Asbury, The Methodist Historical Society of the Baltimore Conference, First Methodist Episcopal Church, Baltimore, Maryland. The writer wishes to acknowledge the generous assistance of the Reverend William H. Best, president of that historical society, and formerly a circuit rider and presiding elder (District Superintendent) in the later era of the camp meeting.

[5] Long extracts from the Journal of Benjamin Lakin can be found in William W. Sweet, *Religion on the American Frontier. 1783-1840. Vol. IV. The Methodists. A Collection of Source Materials* (Chicago, 1946), pp. 202-260.

him on the Limestone Circuit of Kentucky in October, 1801.[6] The year 1805 found the former appointed to ride the Calvert Circuit in Maryland. In the spring of the year following he was assigned to the Baltimore Circuit with the Reverend D. Fidler as his colleague.[7] The area in Baltimore County near the Big Gunpowder Falls had for some time been a great center of Methodist activity. Long Calm, the site of one of several camp meetings Smith conducted that year, was an ancient ford on the Falls above the bridge on what is now the old Philadelphia Road. Smith's description in his November 11, 1806,[8] letter of a woodland gathering held there from October 8th to 14th so struck Lakin that he made a transcript.[9] This subsequently gathered dust through the years among his " Papers." [10]

The figure of saddlebag preacher Henry Smith looms large in the history of early Methodism in America. His *Recollections* reveal he was a correspondent of the saintly Bishop Asbury.[11] He was one of the first, as early as 1800, to blaze a gospel trail into the Ohio Territory. A highly successful circuiteer with sixty-five years service in the ministry, he was in many ways typical of the selfless Methodist itinerants who labored hard and practiced a

[6] *Ibid.*, p. 221, n. 27.

[7] Smith, *op. cit.*, pp. 170, 172, 184.

[8] A careful check of Henry Smith's *Recollections* and contemporary church periodicals fails to indicate that this account was ever published.

[9] Evidence supports the belief that the camp meeting in question took place at Long Calm in the Baltimore Circuit, Maryland, between the eighth and fourteenth of October: (a) Daniel Hitt, presiding elder of Henry Smith's district, wrote to Bishop Asbury that at a Long Calm camp meeting held on the above named dates some five hundred and eighty persons were " said to be converted." See entry of November 10, 1806, Francis Asbury, *Journal of Rev. Francis Asbury, Bishop of the Methodist Episcopal Church* (New York, 1852 ed.), III, 210. This statistic closely resembles Henry Smith's statement that " 579 professed converting grace." (b) Henry Smith's only related comment to that camp meeting was that " On October 7th, 1806, I left brother Carnan's in company of Daniel Hitt, our presiding elder, sister Betsey Carnan, and others, to attend a camp meeting, to be held on Mr. Kell's (now Mr. King's) land, near the Bellair road. . . ." See Smith, *op. cit.*, p. 188. " Mr. Kell's land " referred to is now the site of Kingsville. West of the Falls, a site on Camp Chapel Road given by General Charles Ridgely of Hampton was for many years occupied by the Old Camp Chapel. See William B. Marye, " The Old Indian Road," *Maryland Historical Magazine*, XV (September, 1920), 212, 216; Marye, " The Baltimore County Garrison," *ibid.*, XVI (June, 1921), 145, 252.

[10] Papers of Benjamin Lakin and Journal of Rev. Benjamin Lakin (1794-1820), 13 booklets, are located in the Divinity Library of the University of Chicago. The writer wishes to acknowledge his great debt to Professor William W. Sweet for making that collection available, and for friendly guidance in the field of frontier Christianity in which he is an acknowledged authority.

[11] Consult Smith, *op. cit.*, pp. 112-124, 124-125, and *passim.*

regimen of rigorous self denial. An ardent advocate of the camp meeting, Smith has advanced his claim as being the first to stage one in Virginia, while serving on the Winchester Circuit in 1803. This, at a time when his constituents insisted, " It may do in the west, but it won't do here." [12] He also declared that on June 5, 1804, he drew up " the first rules I ever saw, or heard read on a camp ground. . . ." [13] Henry Smith may rightly be the innovator of the Methodist Camp Meeting Rules. However, as early as 1775 John Waller, a Separate Baptist minister of the Virginia Colony, had drafted a similar set of regulations to govern outdoor services which were comparable to the later camp meeting.[14]

The record shows that Smith was well qualified by experience to write his report of 1806. The letter is reproduced here as it was copied down by Lakin, its peculiar spelling left unchanged.

An extract from Henry Smith's letter

I was at a happy campmeeting in the first of October, the greatest I ever was at. Such an one I never saw before. Our tents were pitched in form round the stand—behind the stand were the coulered peoples tents—Three rows of tents faceing the stand—All the Camp ground hedged in by a brush fence—Two gates for the Waggons to come in at—Plank seats, to seat three or four thousand people, or perhaps five thousand—Our stand was covered with a good shingle roof, and nicely plain—before it there was another stand for the Ministers and Majestrates to sit in—Round the Stand we had a pen post and rail, with three gates, or gaps, and benches inside to bring the Mourners in after preaching—We had three guards. 1. the outer guard. 2. the iner guard. 3. the official guard. The outer guard was to guard the gates, and prevent disorder in the extremities of the Camp—The iner guard were to stand in the Iles and seat the people and prevent disorder there—The official guard were to bring forward the Mourners and admit them into the pen—where active persons were ready to receive them and help them onto Jesus. And then we had what we called runners composed of lads and Boys who whipped away dogs and hogs etc.—The order of every day was as follows—At day break the Trumpets were blown round the Camp for the people to rise. 20 minutes afterwards for family prayer at the dore of every tent—if fair weather—at sun rise they blew at the stand for public prayer, and then brakefasted. At 10 ocloc they blew for preaching—by 2 Ocl. Dinner was to be over

[12] *Ibid.*, p. 105.

[13] *Ibid.*, p. 166. Consult Nathan Bangs, *A History of the Methodist Episcopal Church* (New York, 1838-1841 ed.), II, 266-268, for a listing of Camp Meeting Rules.

[14] David Benedict, *A General History of the Baptist Denomination in America, and Other Parts of the World* (Boston, 1813 ed.), II, 397.

in every tent. At 3 Ocl. preaching again, and again at night—on the left side of the stand the preachers had a large tent consisting of two rooms, a dineing room, and a bed room—in our dineing room we had a large table (where for the preachers) The Lord owned our labours and smiled upon us in a wonderful manner. 579 professed converting grace and 118 Sanctification—The glorious flame is spreading—Now I will tell you how we parted—On the last day after brakefast the tents were struck and the people made ready to move on towards home—They were requested to stand in a circular form at the doors of the first row of tents, and when the preachers fell upon their knees at the stand to give thanks to God in silent prayer they were to do likewise, Oh! what a power while hundreds were prostrate upon the earth before the Lord—The preachers then went round the Camp ground singing a parting Hymn[,] the people standing in form almost drowned in tears[.] When we got round the stand 5 or 6 Trumpets were blown at or from the stand which made a tremendious roar, and the people invited to come round the stand—Oh! Solemn Seen! will I ever see anything more like the day of Judgment on this side of eternity—To see the people runing yes runing, from every Direction to the stand weeping, Shouting, and shouting for Joy, Pray[er] was then made—and every Brother fell upon the neck of his brother and wept and the Sisters did likewise—then we parted. O! glorious day they went home singing and Shouting.—Baltimore Ct. [Circuit] November 11 . . 1806—H. S.

THE TRANSITION IN MARYLAND ARCHITECTURE[1]

By Henry Chandlee Forman
Illustrations by the Author.

The subject of the Transition—spelled with a capital "T"—comprises a new chapter in the history of the architecture of Maryland, and in the history of American architecture as well. Until now we have been taking it for granted that when the seventeenth century came to a close, the American colonist stepped—figuratively, of course—from the humble medieval cottage, directly into the proud Georgian mansion, symbol of eighteenth-century living.

If you turn the pages of a standard architectural history, Dr. Fiske Kimball's *American Architecture*, you will jump (still figuratively speaking) almost directly from the Middle Ages in America (chapters 1 and 2), represented by Fairfield and Bacon's Castle in Virginia, to the great age of the Renaissance (chapters 3 and 4), illustrated by Georgian houses like Stenton near Philadelphia and the imposing buildings of Williamsburg. There is no stepping stone recorded in this volume, and in others like it, where the reader may pause as he progresses between inherently different eras.

You might as well write a book on English literature and place Samuel Johnson and Alexander Pope immediately following the Canterbury Tales; or, to continue this Gothic-Renaissance analogy, you might get up a book on Italian painting and describe the full-blown classical style of Leonardo riding hard upon the heels of Giotto, the Goth. Such a work would ignore the transitional artists like Angelico who could paint in both medieval and Renaissance manners.

In the realm of architecture the British did not graduate suddenly from homes like straw-thatched, half-timbered Anne Hath-

[1] This article and its drawings, copyrighted in 1949 by Henry Chandlee Forman, are based on a lecture by him at the Maryland Historical Society on January 25, 1949.

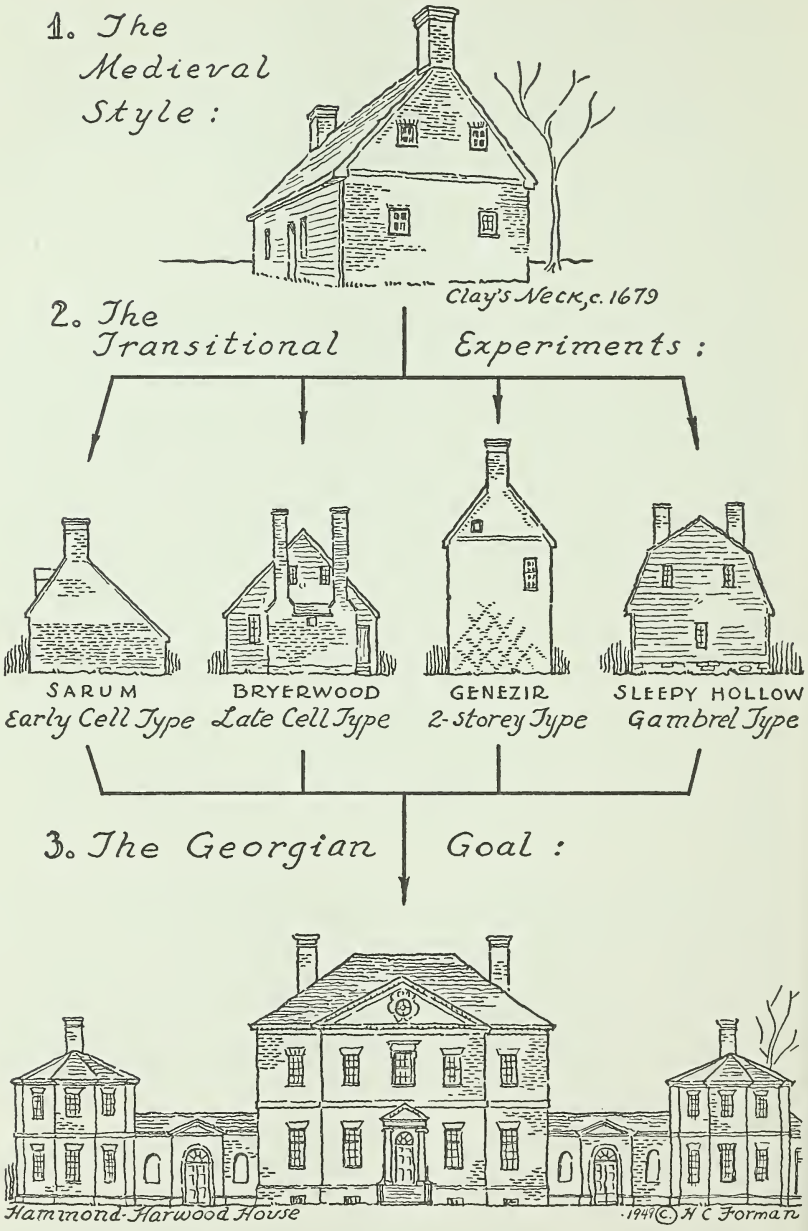

Plate 1. Diagram showing steps in the development of the exterior in the colonial domestic architecture of Maryland.

away's cottage to classically-pilastered Whitehall Palace and Blenheim. In truth the landscape of England contains countless transitional houses, experiments which are neither fish nor fowl, but which partake of both these two ages of man about which we have been speaking.

We came unexpectedly upon the subject of the Transition in Maryland and Virginia very much by accident. When several hundred floor plans and photographs of many kinds of structures are gathered together over a period of years, certain logical developments gradually appear. Today we know that these two states possess a large body of transitional examples which forms a kind of missing link between Gothic and classical styles.

Habits of living, patterns of thought, definite ways of looking at things—as represented in the designs, materials, and construction of the early American home—did not change as suddenly as some of our history books would have us believe. There was a hiätus.

In the seventeenth century the typical Maryland home was Gothic, and—it can not be emphasized too strongly—part and parcel of the English medieval period of architecture. Such a habitation was little more than a bungalow of one or two chambers downstairs and a loft above. The stair was in a case or box, and wound upward beside the fireplace. The windows had casements, and you could not see through the glass, when there was glass. You probably have heard of such houses—Clocker's Fancy, Clay's Neck, Resurrection Manor, The Ending of Controversie, and the first Holly Hill (Plates 1 and 2, *top*).

But it was not on the books that Americans who were approaching the year 1700 should all continue living in that kind of house. Without benefit of governmental paternalism, or of " must " bills, the early Marylander began to look toward a goal which may have been vaguely defined in his mind—England was so far away: a handsome and shipshape residence (Plates 1 and 2, *bottom*), preferably of brick, of two rooms deep and two storeys and attic high, with wings or separate dependencies to balance; a neat and orderly mansion, without steep medieval gables, but with one cornice line for the whole building. What a pleasure it would be to have high-ceiled spacious chambers and hallways, with large white-painted sash windows to let in plenty of light and through which clear views of the garden or tidewater could be enjoyed. Some of these

colonists may have seen English plan books with Georgian dream houses engraved therein.

At any rate, between 1680 and 1720, change was in the Maryland air.

Wertenbaker of Princeton states in his *Golden Age of Colonial Culture* that " an architectural style is a development, not an invention "; and it seems patent that Marylanders living in their " Resurrection Manor " cottages or " Penny Come Quick " bungalows did not invent the " most beautiful " Georgian building in America, the Hammond-Harwood House, and others like it. Such new-fangled expressions involved development, and the key to this development is the Transition. You have to reckon with the Transition.

In Maryland the first signs of this crossroads between Gothic and Georgian may be generally observed in the following characteristics: the diagonal or cater-cornered fireplace, the hipped or " pyramid " roof, staircases which in the lower part of the steps sprout a crude newel post and simple balusters. Further features are the open-well stairs which mount up the sides of a squarish room, the little " aisle " or " cell " chamber at the rear of the dwelling, the long unbroken " catslide " roof at the rear to cover the little " aisle " or " cell," and the sash or " guillotine " window which slides up and down in grooves.

While the casement in many cases lingered in Maryland after 1700, it appears that sash was first installed in the 1680's. Third Haven Friends Meeting House of about 1682 and Walnut Grove of 1683 have every appearance of retaining some of their original sash, if not their early, crinkly window panes.

I have mentioned some features which usually earmark a dwelling as being transitional; but they are ordinarily transitional only when combined with certain house-forms and floor-plans. A diagonal fireplace by itself is no criterion of a house being transitional.

The first shape which the house of the Transition took—as far as research has revealed—is the adding of " cells " or " aisles " to the back of the narrow Gothic cottage. In the same way the typical English parish church of single nave sometimes acquired a side aisle, to make space for more parishioners. In the Maryland dwelling such elongated warts afforded additional bedroom space over and beyond the cramped attic, but unfortunately threw the

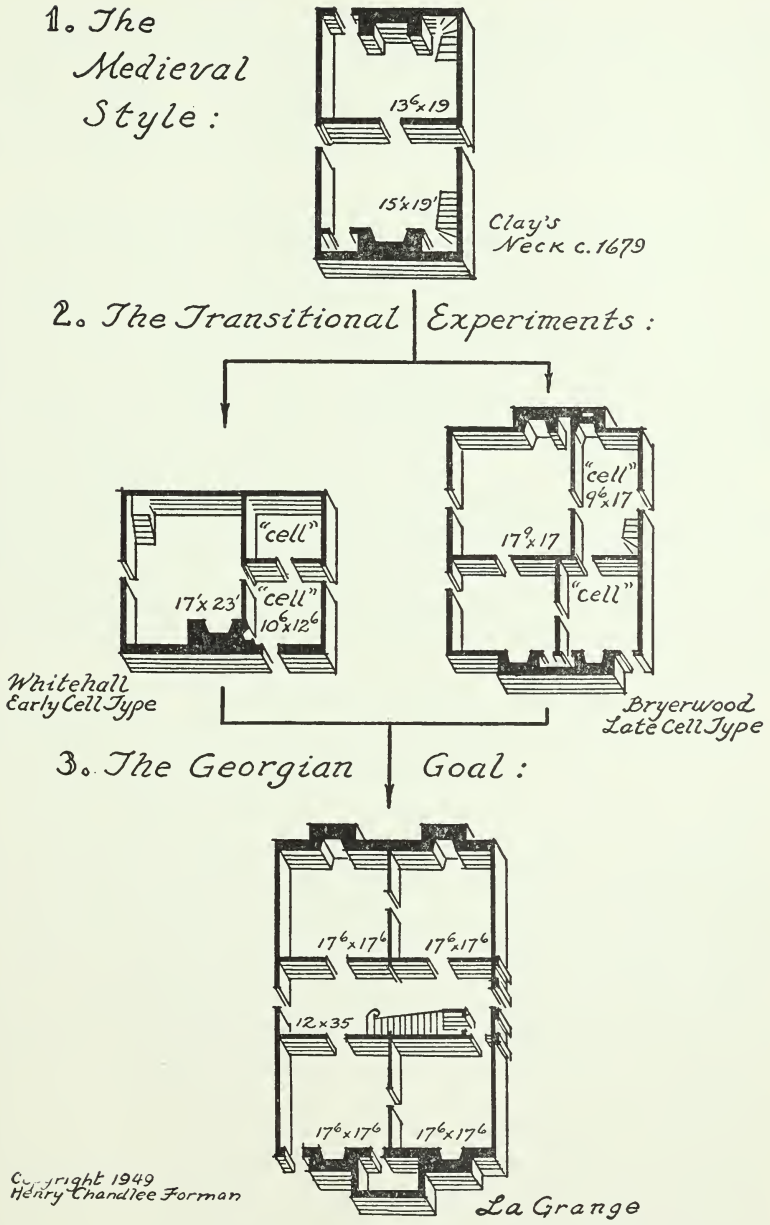

Plate 2. Diagram showing steps in the development of the interior plan (isometric block plans) in the colonial domestic architecture of Maryland.

steep medieval gable off center, thereby causing what is known in England as the "catslide" roof, where the back part of the roof extends downward nearly the whole way to the ground. Sarum Manor in Charles County (Plate 1, *middle*; Cover) and White Hall in Talbot County (Plate 2, *middle*) are specimens of this type.

But the early planter did not long relish an ugly, though perhaps picturesque, catslide gable, so again began to build symmetrically, at the same time incorporating the little back "cells." Sandgates and Carthagena, Bryerwood, and The Mistake, are appropriate examples. On the other hand, sometimes the house had a central passageway through the front part of the structure, or through the rear "cells," or through both. Other times the passageway lay along the gable-end only, as at St. Barbara's in St. Mary's City.

As we shall see, the "cells" at Bryerwood in Charles County (Plates 1 and 2, *middle*) are getting larger, are in truth on the verge of being full-sized rooms. In their dream of the perfected floor plan the builders of Bryerwood—at least in horizontal thinking (the walls of the house being still in medieval style)—stood probably without knowing it at the very threshold of the Georgian.

Not all transitional examples in Maryland had "cells." Instead of budding outward at the rear, the narrow Gothic cot sometimes mushroomed above the low roof line into a full second storey. It might be said that the Maryland home went vertical instead of horizontal. Such tall, narrow gable-ends, rising above the tree-tops, with their chimney stacks presenting a strong perpendicular accent, are evidence of Gothic verticality. You may see such specimens in types of houses represented by the two Freeland houses in Calvert County, or by Genezir on Eastern Shore (Plate 1, *middle*).

The experimentally minded settler also developed other forms of roofs than the straight medieval gable or the catslide. You can visualize how many a plantation owner grew dissatisfied with his cramped attic, where head bumps were frequent and where he must lie on his stomach on the floor in order to see out the windows in the gable. Consequently, instead of continuing to break his crown on the sloping ceiling, he broke his roof line at an angle like a bent leg—you can trust the French to give us a word for it: the *gambrel* (Plate 1, *middle*). Thus we find the

colonist wiser than the modern contractor, who, in places like Towson, still builds and sells bungalows with squeezed-up attics which mark no advance over the medieval style. According to present research, the gambrel roof was introduced into Maryland in the 1680's, but did not become widespread until the 1730's. Because of its gambrel—and for other reasons as well—Cross Manor dates after 1680, and probably in the very early 1700's.[2]

There are some examples of the Transition which at present defy classification into types. In St. Mary's City stood an outstanding building, the Governor's Castle, or St. Peter's, having a square plan of English Jacobean inspiration. John's Point, in Dorchester County, a home unfortunately now in ruins, was constructed in the plan of a "T," with several medieval features, but also with Renaissance characteristics, like the broad stairway with walnut rail.

Further, Bachelor's Hope in St. Mary's County represents a house design of Gothic naïveté and clumsiness struggling toward the ideal of balanced composition in its flanking pavilions. In another county, Anne Arundel, great Birmingham Manor on the one hand harked back to the Middle Ages in its arched vestibule and overhanging second story, and on the other, looked forward to the Georgian style in its symmetrical composition where every room balanced and each wing was shipshape. These two interesting piles, representative of other examples long gone from us, had footings, so to speak, in both eras.

The Transition is therefore a development in architecture which largely may be summed up as follows: the dream of a colonist or settler toward a more commodious house than that to which he was accustomed in the seventeenth-century wilderness—a dream which, when translated into reality, marked a step toward the Georgian goal of more space, more balance, and more formality; the period of experimenting toward that "better" world of elegance and gracious living which was the eighteenth century.

[2] See discussion in the author's *The Architecture of the Old South*, page 156.

LETTERS OF FRANCIS SCOTT KEY

The fame which has come to Francis Scott Key as the result of one act, from which he certainly did not expect such an outcome, has cast into the shadow the other accomplishments of his life. Indeed there has been a tendency to transfer him into some supramundane realm where human traits vanish into an abstract nobility of spirit and thus destroy the real man. It is to recall to some degree the full man, that the following letters have been gathered together. In their brief compass these half-dozen letters reflect the most intense interests of Key's life—his family, politics and religion. The only phase of Key's life which these letters do not touch upon is his notable career at the bar. Although Key was deeply interested in politics, he never embarked upon a political career. His concern was not merely with the manoeuvres of the various political parties, but with the well-being of the nation as a whole.

Of particular interest are the letters written during the War of 1812. It may come as a surprise to many that the national anthem was written during a war which the author felt to be unnecessary. Even though Key could not endorse the policies of Madison's administration, his devotion to his country was such that its defeats and victories were of more than personal concern. His condemnation of the New England secessionist movement of this period makes his position quite clear.

Of the letters in this group perhaps the most intriguing are the first, written while he was in his early teens studying at St. John's in Annapolis, and the fifth, written to his cousin Thomas U. P. Charlton in 1824. Both show the lightness and gaiety of Key's mind, which, unfortunately emerges but rarely in his later correspondence, when his gloomy soul searching predominated to the exclusion of lightheartedness. In the earlier letter the ebullition of Key, with all the incoherence of an excited and over-stimulated child makes at once delightful reading, and at the same time makes him a less remote figure.

To Mrs. Ann Phoebe Key[1]

[Undated, ca. 1790]

Dr Mama

I was at a play The Suspicious Husband and it was very clever a great deal cleverer than Love in a Village or Robinson Crusoe and the man turned himself into a Dog and it was beautiful. When Ranger saw the lady at the window he went up the ladder and said "Up I go a woman by all that's good" and Friday jumped into the sea and he came up with two sea horses and a chariot with stars at their eyes and he put his hand out so and a man came by with a wooden sword and he bought the wooden sword and then he lost all his witchcraft. Hodge came in and said "Was ever poor fellow so plagued with a vixen zounds Madge don't provoke me." And then he came back again and said "Do you think I am a fool that I need to go to school, I can spell you and put you together. A plague of those wenches they make such a pother for ever awhining for something or other." Miss Stoner said "My heart's my own my will is free and so shall be my choice." Hawthorne sang as Papa used to sing, "There was a jolly miller once lived on the river Dee, he worked and sung from morn till night no lark more blythe than he." And he sung my Dog and my Gun. Miss Stoner sung just like my humming top. And Hodge came and Rosetta asked him if he knew her and he said "I could know you I don't know whether I know you or not." And Miss Lucinda sung Dr Aunt you are an old maid, and Miss Deborah told her brother "Brother he is no more a music master than I am a music master." And he said Then you know better than the man himself don't you. Miss Biddy Bellair had three sweethearts and she kept saying Heigho and Tag asked her what she meant when she said Heigho and she said she meant Yes and she loved Capt. Lovet best of them all and she set them all afighting and Fribble was afraid and Capt. Flash too for all he pretended he was not.

I am in the Bible at school I am in Kings and I am but three leaves to get into Chronicles. I have got the ten chapters of Nehemiah to get by heart these hollydays and it is all hard words but I hope I shall get it.

And Robinson Crusoe and all the savages danced and Friday was a negro and all night Mama they were dancing in my room. Aunt Scott says I dreamt it but indeed I did not for I see them all and I want a bit afraid for I liked to see them it was so pretty. And how does Grandma and Sister do when are you acom[ing torn] & and do bring Sister with you you promised you would and ask Grandmama that she hant never come down to see me since I been here tho I went all the way up to Frederick to see her. I hope when the summer comes she will come. And how does Grandmama Charlton and all my Cousins and Aunts. Give my love to Papa and everybody

Francis S. Key.

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[1] Mrs. Phoebe Key (1756-1830). Francis Scott Key attended St. John's 1789-1796. Original letter in possession of Miss Julia McHenry Howard.

To John Randolph of Roanoke,[2] Washington, D. C.

Pipe Creek—Fredk. Co.ty
Oct.r 5th 1814.

My Dear Friend—

I received your two letters the other day as I passed through George Town—I knew your anxiety to hear from us in these alarming times would make a letter acceptable but I have been in such a perpetual hurry & confusion that sitting down to write was quite out of the question.

I took a letter for you from here to George Town which I put in the Post Office there the day before the memorable flight from Bladensburg. From that time to this I have hardly been a day at home & could write you such an account of my adventures as would tire us both. Ridgely however tells me that he suspects you mean to visit him this month, from your asking whether he will be at home, & I shall therefore have the pleasure, I trust, of talking away a night or two with you.[3]

I have just got my family all collected together again & am about returning home. My children, except the youngest, have been here and Mrs. Key (who insisted on getting as near George Town as she could) has been staying at a Tavern on the road, & Occasionally in George Town & Fredk. Town.—I sent some of my effects out of Town & got Mr. Addison to take charge of your papers & mine, your gun is also at his house.—You have no doubt heard how providentially we escaped in George Town.

You will be surprized to hear that I have since then spent eleven days in the British Fleet—I went with a flag to endeavour to save poor old Dr. Beanes a voyage to Halifax in which we fortunately succeeded—They detained us till after their attack on Baltimore, & you may imagine what a state of anxiety I endured.[4] Sometimes, when I remember that it was there the declaration of this abominable war was received with public rejoicings, I could not feel a hope that they would escape—and again when I thought of the many faithful, whose piety leavens that lump of wickedness, I could hardly feel a fear.

To make my feelings still more acute the Admiral had intimated his fears that the town must be burned: and I was sure that if taken, it would have been given up to plunder.[5] I have reason to believe that such a promise was given to their soldiers.—It was filled with women & children! —I hope I shall never cease to feel the warmest gratitude when I think of

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[2] John Randolph of Roanoke (1773-1833), an intimate friend of Key. Excerpts from the lengthy correspondence between Key and Randolph will be found in Hugh A. Garland, *The Life of John Randolph of Roanoke* (2 vols., New York, 1850). This letter, written after the bombardment of Fort McHenry, to John Randolph of Roanoke directly refers to the events which inspired the "Star Spangled Banner." Original in Howard Papers, Maryland Historical Society.

[3] Charles Sterett Ridgely (d. 1847) of Oakland Manor, Howard County.

[4] Dr. William Beanes (1749-1829) who had been taken prisoner by the British. It was while on a mission to secure his release that Key watched the bombardment of Fort McHenry.

[5] Admiral Cockburn.

this most manifest deliverance. It seems to have given me a higher idea of the " forbearance, long-suffering & tender mercy " of God than I had ever before conceived.

Whether this gentle paternal chastisement we have been suffering will be sufficient for us is yet to be seen.—I have my fears.—Never was man more disappointed in his expectations than I have been as to the character of British Officers.—With some exceptions they appeared to be illiberal ignorant & vulgar, seem filled with a spirit of malignity against everything American. Perhaps however, I saw them in unfavorable circumstances.—

I wished to have seen your Brother, but was obliged to leave Baltimore immediately.[6] I hear he is now in the City & shall call on him when I return.—

There is great alarm in the City and George Town about the removal of the Seat of Government. I am so uncertain about my own movements that I care but little about those of the Government. If the war lasts (as I think it will) I cannot see how I can live in George Town; & perhaps if the great folks move off little people can live cheaper.—As to the disgrace of abandoning the seat of Government & acknowledging that the Conquerors of Canada cannot defend their own Capital, it would be a serious thing to a people not already in the very dust & mire of ignominy. If I continued to live in Geo. Town I dont know but I should like to get clear of them—As it is, the *Seat* of Government may *sit* (as Holland says) where it pleases.—

I have merely had a glimpse of Standford [7]—He seems to have a large mess with him at Cranford's.—

I hope you will endeavor to make the visit you propose—I will go with you—Can you not contrive to bring Garnett with you? [8]

God bless you
truly yrs

[Signature cut out.]

To John Randolph of Roanoke,[9] New York, N. Y.

Montgy Ct House
Nov. 13, 1814

My Dear Friend

I have been almost deterred from writing to you by the uncertainty of my letter's finding you. Sometimes I hear you are going to *Loganize* it in London; & lastly, Stan[d]ford says your nephew thinks you may perhaps

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[6] Either Henry St. George Tucker (1780-1848) or Nathaniel Beverley Tucker (1784-1851), John Randolph's half-brothers.

[7] Richard Standford (1767-1816) representative from North Carolina, born in Vienna, Maryland.

[8] James M. Garnett (1770-1843) of Essex Co., Va., a close friend and political associate of John Randolph.

[9] Original in Howard Papers, Maryland Historical Society.

go to Boston.—I hope your next movement will be in this direction—I am really anxious to see you both for private & public reasons—I wish to talk with you about an almost half-formed project of starting a new Paper. I have not time to write about it.—

I fear little from the war in comparison with other mischiefs which I think threaten us. These Yankees are sad fellows. [sentence crossed out.] I believe they will revolt from the Union & consult their selfishness & the personal ambition of their leaders at the expence of every feeling of patriotism & even of party spirit. For in what a situation do they have their brethren of the opposition in the other States. They say they are oppressed—so are we all—& in Maryland & Virginia far more than they are—But to suppose that oppression has reached, or is any where near that extreme point which might excuse a revolt is ridiculous. Constitutional redress is certain if they would have patience.—

I have thought something might be done by an impartial anti-party paper to prevent this & other evils to which we are exposed. I talked about it to Stan[d]ford. He wrote to Garnett who is full of it. We have some idea of riding down to see him in a week or two. I wish you could join us.—

I was glad to see your nephew look better than I expected.[10] He left Geo. Town yesterday, & has had bad weather, & no very comfortable place to stop at & avoid it.—

I regretted he did not let me know they were in Town till just before they left it. Mrs. Key had no opportunity, consequently, of waiting on his mother, as we had intended.

He took your gun with him.—

I will hope to see you soon—

Farewell—

ever yrs.

F. S. Key.

To Mrs. Ann Phoebe Key.

Geo Town.
24th December 1814.

My Dear Mother [11]

I am truly sorry to find that we shall not spend our Christmas here together as I had hoped—I will now look for you however at New Year's Day and hope this good weather will continue and that you will not have to delay your journey as Papa seemed to fear in his last letter. I would not wait for the purpose of getting out the wheat for I suppose he could make a bargain for it and have time allowed to deliver it when you return or if not yet I should think with despatch 4 or 5 hundred bushels might be

[10] Tudor Randolph whose premature death in 1815 was a grievous loss to John Randolph who worshipped his brilliant nephew.

[11] Letter in possession of Miss Julia McHenry Howard.

got out in a week or so and the rest could be sold if there is more to spare when you returned. The children are very impatient to see you particularly Anne who often talks of you both. Edward runs about and begins to try to call us.

Mr. McDowell was in Town a few days ago [12]—he has been to Annapolis and left all our friends at Bellevoir well Uncle Key is expected home from there tonight.[13] I shall be anxious to hear from him whether there is any ground for an apprehension entertained here that Annapolis is in danger of an attack from the Enemy. I should not be surprised if they were to attempt to drive the Legislature away.

There is nothing new here—some people think we shall have peace but I have not the least expectation of it. As things are going on we shall be wretchedly prepared to meet any of the evils which threaten us and I fear the next year will be one of great suffering. We have been most mercifully spared thus far and though our safety has been plainly owing to God's goodness yet nationally we seem to be too insensible to the mercies we have received and too careless about the means of securing a continuance of Divine protection. Let us now my dear Mother use this interval of security (which we are blessed with for this purpose) in preparing ourselves by prayer and consideration for giving up ourselves and all our concerns to God's gracious disposal. Let us remove our affections from this perishing world and often think of the treasures laid up for us in heaven. He " will make all things work together for good to those who love Him." Whatever may be the tempest about us the " peace that passeth all understanding " will be ours. He will call us to endure nothing but what shall be for our good and His glory and whatever seeming evil may threaten to overwhelm us we shall hear his encouraging words " It is I be not afraid." Nor let our prayers be only for ourselves. Let our cares be for all about us and let us join in the many pious petitions that I trust are offering up in this season of gladness for our thoughless benighted and miserable countrymen. Oh if this winter could be thus solemnly spent by all the sincere disciples of Christ how benignantly would He look down on such a work! How omnipotent would be such prayers. " Blessed are those servants who when their Lord cometh He will find so doing."

Ministers too seldom avail themselves of the advantages afforded by these awful times. They are made awful for this very purpose. Men listen and become awakened to whom in ordinary times they would preach in vain. Mr. Davidson is an excellent exception—I wish we had such a one here.[14] Mr. Addison is a very good man but he does not suit the times—we go on in the old way spending more money in weekly cotillon parties than would support in comfort all the poor of the town.[15]

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[12] Probably John McDowell (1751-1820), principal of St. John's College, 1790-1806.

[13] John Ross Key (1754-1821).

[14] Probably Patrick Davidson (1775-1824), pastor of Presbyterian Church in Frederick, Md.

[15] Walter Dulany Addison (1769-1848), rector of Georgetown Parish.

I was as much surprised as yourself at Mr. Davidson's recommendation of the Family Instructor. I believe the Presbyterians generally dislike some alterations we made in it. I see there was lately an order for a large number to be sent to Fred Town. It does not sell well. I suppose he would have said the same thing if I had been there. You were no doubt as much confounded as delighted. I have avoided the confusion and rejoiced at the thought of your delight. I hope we are both grateful for it not vain of it.

May I ever and always my dear Mother give you such feelings.

God bless you. Give my love to my dear father and believe me

Ever your affectionate son

F. S. Key.

P. S. Uncle Key came home last night—he says they are in no danger at Annapolis—all well at Bellevoir.

[To Thomas U. P. Charlton [16]]

[1824]

My dear Tom

On going home for a day or two last week I found your letter, but had not time to answer it as I was obliged to return here in a hurry—I heartily wish you joy of your marriage. Judge Johnson had informed me in the winter of your good fortune, and now what a strange discontented fellow you are—one would think that when a man has just got a good wife, he would be willing to sit down quietly at home, get to work and provide for his family. And yet this is just the time when you are full of going abroad, & think of relinquishing a profession by which you can gratify every reasonable resire, to take up a vagabond sort of life subject to the calls and recalls of whoever may happen to have the command of you. You may tell me (& I suppose it is of course & I would take the privilege of a relation to tell Mrs. Charlton to insist upon it that it should be so, though I dare say she will require no such hint) that your wife is to accompany you, but this does not remove all objections. You will spend your outfit, your salary & probably more; & when you come back again in two or three years you will I fear be too lazy for the drudgery of the law & you will I know be too proud to come to the city & beg & bow & lie to get another place. I hope therefore you will think of this matter more seriously. I know you despise money and prudence & all such matters & shall therefore only use the *argumentum ad hominem*.—Take therefore your idol fame & consider whether you cannot in a fair professional career, gather as bright laurels as those that have been stinking of the foul head of that wretch Edwards.[17] However I forget that you did not ask me for

[16] Thomas Usher Pulaski Charlton (1779-1835), prominent jurist of Georgia, was a cousin of Key. Letter in possession of Miss Julia McHenry Howard.

[17] Ninian Edwards (1775-1833) had been appointed minister to Mexico, but

advice; but for intelligence as to the prospect of success & aid if there was any way in which I could render it.—As to aid you know I have no political influence, and therefore nothing to give for anything I might ask. To get anything without having something to give for it is, I presume out of the question at Courts: unless perhaps to some very particular court favourites; & they too poor Devils have to give something, that is, themselves (if that is anything) for all they get—As to intelligence if you wish to know what Mr. Monroe would say in case I called upon him & asked how you stood and what prospect there was of your appointment, I can give you his answer now, just as well as if I had waited upon him and taken it down in black and white. And if you chuse it, I will call upon him and let you know exactly what he says. But as I can do it just as well beforehand, I do not see why I need make you wait for it—Here it is then—(Presidens loquitur) "Mr. Charlton of Georgia"—O Yes—I recollect him, Sir, very well—we have received his letters & his recommendations are very strong—very high & from the first men—nobody can come before us with greater claims to consideration—and he is a man we know independently of recommendations.—We know personally his great worth and fitness for such a place—indeed Sir for any place—He was much distinguished in Congress I believe." He was not in Congress Sir—he attended the Supreme Court when you saw him here, and was Mayor of Savannah during the great mortality there. O! yes Sir I recollect—the Supreme Court—it was the Supreme Court—and at Savannah Sir—he acquired the greatest credit by his heroical conduct—I doubt not Sir, but that such service and such a charatcer will be thought to present very strong claims to any office; but, Sir, there are so many things to be considered on these occasions—there are Sir many applications and so many and such warm recommendations & sometimes so many that are equally meritorious & equally recommended, that really, Sir you can hardly conceive our embarassments." "Suppose, Sir, (excuse me for suggesting anything) suppose in such cases you were to put them all in a bag & shake them well together & see who would come out first?" Why really I thank you Sir that might do often—I think we might have tried it sometimes to advantage—I really wish we had thought of it—I wish we had put Edwards in a bag—But Sir, as to Mr. Charlton you may assure him that there can be no such thing as overlooking the pretensions of such a man. And to be candid, Sir I will express my sincere hope that when this matter comes up before us Mr. Charlton's services and standing may be duly estimated, and that it may be in our power to gratify our wishes in regard to him."—So much for the President—now if you can judge from this what your chance is you are far more quick sighted than our Court followers here, who have been studying such answers for years without being able to make anything out of them yet. And now do you want to know what Mr. Adams would say of your prospects.[18] That would depend entirely upon the

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before he could assume office he was compelled to resign because of charges he made against the Secretary of the Treasury, William H. Crawford.

[18] John Quincy Adams, Secretary of State.

person that called upon him. If he was a man that could turn a State or perhaps even a county on the presidential question, the Secy. would try to bend his stiff sinews and soften his hard face & would be as polite and promising as possible, & would look more smooth than it could be thought such a cross grained piece of stuff could. But if I was to call upon him, as soon as he saw me, he would feel pleased to think that there was a fellow to whom he could be as short and crusty as he liked: and you would have a poor view of the matter from the monosyllables that I could force out of him

As to Lloyd he could serve you no better than I—rather worse—for I am but a cypher, whereas he is a figure of some size against the palace.[19] Being an open and violent friend of Crawford they would rather spite him than please him.[20] Besides do you think you are fit to succeed Edwards, Are you fit for anything that fitted him? you may say so but I would not say it for you. I have hardly paper enongh to tell you that whatever you may think of my notions on this subject I hope you know that I am—

Sincerely yr. friend & Kinsman

Francis Scott Key

To Roger Brooke Taney,[21] Washington, D. C.

Tuscaloosa
6 Nov^{r}.—33

My dear Taney

I have determined to wait here for the Dist. Att^{y} instead of going to Mobile, & hope to see him next week.—

I have got acquainted with most of the leading members of the legislature—There are some very clever men among them, and they say they have no doubt a vast majority of the people of the State are decidedly opposed to the course of the Governor.—[22]

I enclose you a paper just published & have marked the article I wish you to read.—I had understood before that an effort would be made here to form a new party composed of the Nullifiers & the Governor's personal

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[19] Edward Lloyd (1779-1834) of Wye House, Talbot Co., Md., U. S. Senator, 1819-1826.

[20] William H. Crawford, Secretary of the Treasury, was an aspirant for the presidential office, as was Adams.

[21] Roger Brooke Taney (1777-1864), Chief Justice of the United States, married Francis Scott Key's sister, Ann Arnold Phoebe Charlton Key (1783-1855). At the time when this letter was written Taney had just been made Secretary of the Treasury after serving two years as Attorney General.

[22] John Gayle (1792-1859), Governor of Alabama, 1831-1833. Gayle had been a leader of Jackson forces in Alabama, but his strenuous opposition to federal policy in regard to the Creek Indians at this time weakened the Jackson party in Alabama. This was a matter of much concern to Key who had been sent to effect a peaceful settlement. For full details see Edward S. Delaplaine, *Francis Scott Key, Life and Times* (New York, 1937), pp. 345-64.

friends, who should lay aside their differences and unite in opposition to the principles of the proclamation & force Bill, and in sustaining the Governor.—

Some of the Govr's friends & some pretended Union men are for this.—But I believe the Govr himself & and many of his friends will not concur in this. The Nullifiers are, of course, all for it.—Again, there are some Union men so displeased with the Govr that they do not altogether like making the quarrel on such terms as would be acceptable to him and his friends—It is difficult to say yet with certainty how it may end. There are two Comees, one in each house on that part of the Govr's message which relates to the Creek controversy.—The Govr is to make a communication to the legislature on the subject, as he told me he should say that he was satisfied with the measures of the U. S. Govt. were about to take, & that he apprehended no further difficulties.—I was determined he should know particularly what those measures were, and therefore, after I had stated them & he had expressed his satisfaction, I shewed him the copy of the letter I had just received from the Secy to Col Abert.[23]—He read it attentively & objected to nothing but the tone of it—he thought this too strong—He afterwards called at my room and asked if it would be published, as he observed that Col Abert was directed to let the course it indicated be known among the Settlers.—I told him I presumed not & that it was only intended that the Settlers & others should know the course the Govt meant to take. He has since appeared satisfied & says he shall make his communication immediately, & will aid in promoting proper measures to prevent any further difficulties.—

His situation is not a little embarassing—If he offends the Nullifiers he is not sure of appeasing all the Union men—& if he says he is satisfied with the U. S. he will be sure to offend the Nullifiers.—The course that it is desired to take by most of those I have seen is for the Govr to make his communication & the Comees then to make no report on the subject & ask to be discharged.—

When this is done they will endeavour to adopt some measures to prevent any conflict between the State laws & the course of the Govt. in executing the Treaty.—It is much to be apprehended that the Speculators will harass the Indians with the State laws; & I am sure that the only effectual way of saving them will be to buy their lands & send them off.—

You were no doubt surprized at the Govr's speech—His friends here all say they regret it—that he was in a state of excitement. Some say, (whether from conjecture or hints from himself I know not) that it was from something that passed between us.—This I think could not have been the case, for he seemed, from the first, quite disposed to a pacific course.—I rather think some of his friends thought he had gone too far in his message & that he ought to make rather a stronger speech.—I believe too that about this time he was told what some of the contractors at Washington had reported about the language of the President towards him, & this, no doubt, was greatly exaggerated.

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[23] Col. John James Abert (1785-1863) was one of the Indian commissioners.

I have just seen Judge Brockenbrough's opinion & Ritchie's notice of his judg[t] [24]—I really should not be surprised to see all the South & Virginia with them, committing some folly quite equal to nullification.—I feel anxious to hear how you & the Senate will agree.—I think I see that Biddle is to resign.—I trust you will be able to keep your Banks up.

Farewell
With love to Anne
& the girls
truly yours
FSKey

P. S. As soon as I can have my conference with the Dist. Atty. I shall look homewards and hope to be with you by Newyear's day.—

[24] John Brockenbrough and Thomas Ritchie (1778-1854), editor of the Richmond *Enquirer*, were both supporters of nullification.

REVIEWS OF RECENT BOOKS

Peter Harrison, First American Architect. By CARL BRIDENBAUGH. Published for the Institute of Early American History and Culture at Williamsburg, Virginia. Chapel Hill: University of North Carolina Press, 1949. 195 pp. $6.50.

With this handsome octavo volume Dr. Bridenbaugh, director of the Institute of Early American History and Culture in Williamsburg, has defined the shadowy figure of New England's most competent Colonial architect. Peter Harrison designed two beautiful neighboring Massachusetts churches, King's Chapel, Boston, and Christ Church, Cambridge, and three splendid buildings in Newport, his long time home. These five structures testify to Harrison's great taste and technical skill, and it is surprising to many to find that he was an amateur.

It cannot be said that Dr. Bridenbaugh has brought Harrison fame, because to all lovers of Colonial art his name has been a famous one for many years. However, he has taken a name and produced a man—ship captain, merchant, and Royal official as well as architect.

Dr. Bridenbaugh's story begins in England and recounts Harrison's early life as a son of Quaker parents in Yorkshire and his youthful urge to ships and the sea. In 1738, by a fortunate meeting with John Bannister of Newport, Joseph Harrison, Peter's brother, obtained a charter for his ship to Newport, and on the voyage went the younger brother. From his landing there for over twenty-five years, Peter Harrison's life was linked with Newport. First as a mate on his brother's ship which sailed between Narragansett Bay and the Cape Fear River, and later as commander of one of Bannister's ships which traded mainly between Newport and London. In 1746 Harrison romantically and rather astutely married Bannister's sister-in-law and after some few further years at sea, took up business ashore with his brother. This latter era of Harrison's life is treated fully in a chapter entitled " Broad Acres and Distinction."

What interest Harrison's life as citizen and merchant had, even as reflecting the turbulent years leading up to the Revolution, is minor compared to that as an architect. As the author says, " It was his ventures in design that gave historical significance to Peter Harrison's career." This sentence sounds the leit-motif of the chapter " Ventures in Design " which recounts the events in the designing and building of the Redwood Library in Newport and King's Chapel, Boston. The amount of material in the way of correspondence between the architect and the committee and building records that Dr. Bridenbaugh has produced is really amazing. It is fortunate that at last the history of the building of these important monuments is available outside of the library and church archives.

The author groups with these two buildings in this chapter St. Michael's, Charleston, which he tentatively attributes to Harrison. It would have been a feat indeed if he had been able to clear up the mystery of the authorship of this noble church, but by attributing it without adequate evidence he only confuses it further. He demonstrates that through Harrison's business connections in Charleston and through his visit there, he might have been invited to prepare plans, but there he produces no documentary evidence that this was done. Lacking this (and, unfortunately, it is all too often lacking in the story of American architecture), one would expect the author to demonstrate by architectural parallels the relationship of St. Michael's to his known buildings. This, however, he does not do except to say " In considering both of these edifices, (King's Chapel and St. Michael's) one is constantly struck by the accuracy of the detail and the attention paid to the proportion of the orders." This is an observation that might be applied to any number of American buildings and is merely a generalization. He does venture one parallel, continuing " It is also significant that these are the only two churches of the pre-Revolutionary period, 1730-1776, which had a portico included in the design." This is unfortunately not the case and significantly enough there is another example near Charleston. Prince William Shelden, a large and fine country church was burned in 1865, but the walls of the nave stand as well as the columns of the heroic portico. Another significant parallel is the continuation of the order of the portico around the church, as at St. Michael's, but here in the form of engaged columns and there of pilasters. This is a feature that does not occur on Harrison's churches, but it does occur again at St. Stephen's, Santee, near Charleston. Also, while the great unaisled nave of St. Michael's, covered b ya vast coved ceiling, is foreign to Harrison's work, it is also found at St. Stephen's. In short it is to South Carolina one must look for the author of the design of St. Michael's, who may have also designed the nearby country churches and the superb ruined tower of St. George's Dorchester, which has the great scale and vigorous detail of St. Michael's.

In Chapter IV, " A Masterly Architect," Dr. Bridenbaugh tells the story of the building of two of Harrison's beautiful Newport buildings, the Touro Street Synagogue and the Brick Market. Fortunately the documentation of these structures is complete and his discussion of them and of the architectural prototypes that Harrison used is interesting and illuminating as is that of Christ Church, Cambridge, which follows. Here he brings to a close his study of Harrison's architecture, and in the final chapter, " The Price of Loyalty," he recounts the last unhappy years of Harrison's life as Collector of Customs at New Haven. As a Tory and Royal official, he gained the enmity of the citizens by energetically and efficiently pressing the king's business. Fortunately, perhaps, he died in 1775 and was thus spared the problems and vicissitudes that confronted his wife and other loyalist Americans.

Dr. Bridenbaugh has done a remarkable work in assembling so much material on the life of a man heretofore so little known to the public. It is a work which sheds much light on the great events that led to the

Revolution as well as on Harrison's life and his architecture. The format of the book is excellent (though the reviewer regrets the grouping of most of the illustrations in the back) and there are valuable appendices and an excellent index. As would be expected, the sources are well referenced in the text. Dr. Bridenbaugh has not escaped the temptation of the biographer to make exaggerated claims for his subject. This is evident in several passages in the book, but especially when he calls Harrison's three last buildings "the supreme achievement in Colonial architecture." They are certainly fine enough, but there are several groups of buildings of equal importance in the country, including the superb mansions of Annapolis. Last but not least, one must regret the subtitle "First American Architect." Harrison was not an American but born an Englishman and lived as one in Newport, (Burnaby described him as "an ingenious English gentleman who lives here") and died a Tory official. Too there were architects, both amateur and professional, practicing in this country before his time, including Dr. James Kearsley who designed Christ Church, Philadelphia, in 1727, and John Ariss, who advertised for commissions in the Maryland Gazette in 1751. These products of the author's enthusiasm for his subject do not detract from his distinguished accomplishment in producing this fine book, a welcome addition to our knowledge of early architects and their buildings.

THOMAS T. WATERMAN.

The Southern Colonies in the Seventeenth Century, 1607-1689. By WESLEY FRANK CRAVEN. (*A History of the South,* edited by Wendell Holmes Stephenson and E. Merton Coulter, Vol. I). Baton Rouge: Louisiana State University Press, 1949, xv, 451 pp. $6.00.

Three volumes have now appeared in the series of ten projected by the Louisiana State University Press jointly with the Littlefield Fund for Southern History at the University of Texas to cover the whole field of Southern history from Jamestown through World War II. Although third in order of appearance *The Southern Colonies in the Seventeenth Century* chronologically opens the story of the evolution of the South as a region with a distinctive flavor about its political life and culture. Professor Craven neatly defines the historical problem of this initial volume in a characteristic sentence: "To write of the South when there was no South is a task not without difficulties." Yet the exigencies of topography, soil, weather, defense against Indians, and the sheer problem of keeping a social order operating could not fail to leave an impression on the communities about the Chesapeake and farther south. The integration of social history and political narrative will bring new understanding to the layman and delight to the scholar, for this handsomely made volume is successfully directed to both the intelligent layman and the specialist.

Professor Craven's conception of his task determines the structure of his history which emphasizes the role of Virginia as the mother of

colonies. From the beachhead on the James River exploration, then settlement, turns north to Maryland and south to the Carolinas. The treatment regards the Chesapeake colonies as essentially a unit, allowing always for the differences bred by the royal status of Virginia and the proprietary control in Maryland. A single description of agriculture, in both colonies devoted to a staple crop, of the organization of the plantation economy, and of the social and economic outlook of the planters serves to eliminate needless repetition.

One principal task of a new synthesis—the presentation of results of important recent research — is accomplished with skill. New studies brought into relation with the accepted facts in the common store of information about seventeenth century America sharpen our conceptions of the period and add new meanings. An excellent short summary of the origin and introduction of tobacco into Virginia (pp. 21-25) joined with the record of experiments by John Rolfe and other colonists (pp. 109, 115) dispel notions that the early planters took over the culture of native *apooke* from the people of Powahatan. The concise account of the " public estate " in the scheme of early Virginia, ordinarily passed over in the histories, tells much of the aims of the London Company and the practical problems they tried to solve in their American enterprise.

At one time colonial historians identified themselves with one of two mutually hostile " views " of early America. The " imperialists " regarded the expansion of Britain overseas as a great movement in which the thirteen colonies played the role of short-sighted malcontents who selfishly considered their exclusive welfare to the neglect of the larger interests of the whole overlooking benefits they received from membership in the empire. This school examined the European backgrounds of colonial history, studied the transit of English institutions and ideas to America, and outlined the workings of English agencies in the dealings with problems of settlement, government, defense, and trade. The " nationalist " school, focussing its attention on internal conditions of the colonies, saw the imperial machinery as a vast structure designed to exploit the colonists for the benefit of a ruling oligarchy in Great Britain. And while the colonists were subduing forest and swamp, building homes, wringing a subsistence from the soil, and defending their families from hostile red men, they were obliged to guard their rights and property against encroachments of crown officers set over them. Both schools, however, had one characteristic in common. Each selected sets of facts which made its view plausible and tended to minimize that of the other. This volume avoids both extremes by presenting both the English and Amerian pictures with balance and a rare understanding of the mutual interactions of imperial and internal affairs.

Marylanders will relish the account of Lord Baltimore's dealings with Claiborne, the development of a representative assembly, and the description of seventeenth century life in Chapter VI which treats the first two decades of Maryland history. The two following chapters on the civil war, interregnum, and the restoration cover the important of the religious toleration act and the efforts of Lord Baltimore to retain his palatinate.

Sixteen plates enliven a text written in sturdy prose which sometimes rises to brilliance in style. The public stands in Professor Craven's debt for this solid volume replete with penetrating interpretations of the facts of seventeenth century Southern history, told with suavity and grace of one who thoroughly enjoys his subject. An index and critical bibliography enhance the value for the scholar.

AUBREY C. LAND.

Princeton, N. J.

Old Wye Church, Talbot County, Maryland, 1694-1949. By ELIZABETH MERRITT. Baltimore: The Maryland Historical Society, 1949. 42 pp. $0.55.

The past year has seen the remarkable restoration of one of Maryland's finest examples of colonial ecclesiastical buildings. Through the generosity of Mr. Arthur Amory Houghton, Jr., of Wye Plantation the old building has been completely restored, so far as modern conditions permit, to its original form and beauty. It is a piece of work which delights the heart of every historically minded person and rightly deserves to be known throughout the land.

Miss Merritt's pamphlet of forty-two pages has been written with the aim of informing the general populace of the meaning and background of Old Wye. The booklet is the stuff of which history is made for she has gone back to the original records for most of her material. It is an exceptionally fine piece of research, put up in a wholly readable manner to carry the history of the old church and parish from its beginning to the present day.

The research work done in this brochure has been excellent, but there is an obvious lack of background against which to set the particular facts and hence there is a tendency to misinterpret facts which fit into a larger picture of colonial church history. For example on page four we find the Reverend John Lillingstone in Maryland at least by 1681, yet there seems to be some mystery about the fact that he received £20 in 1689 for his transportation. This was often done in the early days of the establishment of the Royal Bounty for those clergy going to the colonies. A reading of my article in the *Historical Magazine of the Episcopal Church* (June, 1948) would have cleared up this point. Again, a reading of the material written about Dr. Bray and the Parish Libraries, or a perusal of the sections regarding the libraries of SPG missionaries in my work on Delaware Colonial Churches would have given a wider background for the material on page seven.

The question of the consecration of churches on page ten can be cleared up by referring to Bishop Perry's *Historical Collections*, especially the Pennsylvania volume. Here the word is used a number of times for opening of new churches and where one of the Swedish priests points out that while the word is often used among the English priests, yet because there was no bishop in America to consecrate, the term was but loosely used.

But these are points about which research students might quibble. Probably for the average person interested in the history of our country or of the church, they are too minute to worry over. In no way do they detract from the general usefulness of the work or from the joy of reading it.

The architect in charge, William Graves Perry, has written a section on the architectural details of the restoration. Those of us who are architecturally minded would have enjoyed some sketches of floor plans and elevations.

The authors, the donor, and the Historical Society are to be congratulated on a work well done.

NELSON RIGHTMYER.

Colonial Saint Louis: Building a Creole Capital. By CHARLES E. PETERSON. Missouri Historical Society publication, 1949. 69 pp.,16 ill.

This slim monograph is at once impressive for its carefully documented scholarship and its extreme readability, two qualities rarely found together in publications of this sort. It traces the cultural and architectural history of Saint Louis from the time of its founding, in 1764, by a group of Frenchmen from New Orleans who were granted a monopoly of the rich Indian fur trade of the upper Missouri country, until the moment in 1804 when the command of Saint Louis was transferred to Captain Amos Stoddard of the United States Army.

The rising young city in the eighteenth century had most of its houses built in the pallisadoed manner, of posts set upright in the earth, and this type of construction, used occasionally in the seventeenth century on the Atlantic coast, in English settlements, as well as in Spanish settlements from Texas to California, is explained for the first time with documentary evidence; Mr. Peterson has found a number of contemporary contracts, which he cites completely, with an English translation of the early French, that shed a new light on this form of building. A great deal of new material is brought to light concerning the work of carpenters, masons, blacksmiths, and other craftsmen, so that a true picture of the community, as well as those who contribute to it, is presented. A chapter on the early mills and factories, too often overlooked by architectural historians, adds to the importance of the book.

The publication might well serve as a model and guide for others who are preparing material on eighteenth century American towns and cities. The material is the result of careful scholarship, all irrelevant material is omitted, and the essence alone presented; most important of all is the investigation into the wealth of documentary evidence for the minor arts and crafts; many of our older American settlements possess such material, hidden in archives, that often in the past has eluded the researcher who is interested in more obvious material.

RICHARD H. HOWLAND.

The Johns Hopkins University.

Virginia on Guard. By MARVIN WILSON SCHLEGEL. Richmond: Virginia State Library, 1949. xxiii, 286 pp.

Letters from Fighting Hoosiers. HOWARD H. PECKHAM and SHIRLEY A. SNYDER, editors. Bloomington: Indiana War History Commission, 1948. xvi, 406 pp.

During or immediately following World War II, well over half of the States established programs of widely differing scopes to preserve and, in some cases publish, records of their contributions to the war. By assisting in the preparation of several community histories, publishing a state-wide Gold Star Honor Roll, and issuing this latest volume, Virginia has taken the lead over other States. *Virginia on Guard* surpasses the high standards of the previous publications. Dr. Schlegel presents interesting and orderly accounts of two of Virginia's wartime agencies—the Civilian Defense and State Militia units—as they developed at a time when "tragedy and comedy, selfishness and selflessness, bickering and patriotic cooperation were bewilderingly intermingled." The details are well documented, both mistakes and successes are presented, and the story is deftly touched with brief and frequent accounts of the unexpected and humorous events which highlighted the behavior of Americans during their nation's closest approach to total war. The volume is well illustrated and indexed.

Like the Virginia World War II History Commission, the Indiana group originated while hostilities were in progress. Operating as a part of the State's civilian defense organization, it collected every possible record bearing upon Indiana's participation in the war. Culled from the Commission's archives, *Letters from Fighting Hoosiers* is the first publication in a proposed series of ten volumes. It contains 131 letters written by Indianians of all ranks, in each branch of the armed forces, from every theater of war. The book accomplishes its purpose of portraying how the war looked and felt to a representative group of Hoosiers in uniform. Through eyes that remained essentially civilian, they present objective pictures of the good and bad in military life, of the battles and campaigns they helped to win, and of places they visited. Their reactions to contemporary events and problems, to discussions of postwar planning, for instance, are as interesting as they are varied. Not being a Hoosier, I cannot say with assurance that they are typically Indianian reactions, but they are certainly American. Yet, and possibly inevitably, the letters in their final form do not ring entirely true. If a personal reference may be excused, I read several thousand similar letters during the war and I do not recall them to have been as stilted as those in this volume. While many of the Indiana letters contain meaty portions and are, therefore, worthy of permanent preservation, it is, perhaps impossible for the sparks of spontaneity and vitality to glow warmly in material that first has passed military censors and then been subjected to further editing no matter how skillful. In an introductory statement, the editors admit that they have "exercised a free hand in editing" and, for a number of reasons, one can understand

the necessity for their action. However, I cannot help but question the stylistic changes which, I believe, must have been made on a wholesale scale.

HAROLD RANDALL MANAKEE.

The Histrionic Mr. Poe. By N. BRYLLION FAGIN, Associate Professor of English and Drama, The Johns Hopkins University. Baltimore: The Johns Hopkins Press, 1949, xi, 288 pp. $4.00.

Any fresh approach to the much belabored question of Poe's status as man, poet, short story writer, and critic is most welcome; and it is such an approach that Dr. Fagin offers in his book. His thesis is that Poe was by nature and inclination an actor, and that in consequence of the frustration of the histronic urge everything he did or wrote was in the nature of a theatrical performance. "Before [Poe] . . . could function creatively, he always envisaged an audience." This thesis Dr. Fagin develops consistently and convincingly through scholarly appraisements of Poe's personality, and of his literary achievement.

The book has what so many scholarly studies lack, a finished and sprightly style, flavored with touches of unacademic humor. And whether, or not, we accept without reservation the validity of the author's thesis, or the statement of H. L. Mencken that the book is "the best of all the Poe books ever done in English—and by long odds," there can be no question that the work is an important contribution to the somewhat overgrown corpus of Poe studies. Moreover, the book makes delightful reading, a rare quality to which a brief notice like this can do but scant justice.

ERNEST J. BECKER.

Oil! Titan of the Southwest. By CARL COKE RISTER. Norman: University of Oklahoma Press, 1949. xxiii, 467 pp. $5.00.

In this volume Professor Rister makes not only a notable contribution to Southwestern history but also provides a critical evaluation of one of America's most important industries. Though he limits his study primarily to Kansas, Oklahoma, New Mexico, Texas, Louisiana, and Arkansas, nevertheless it embraces the major oil producing section of the United States. This area alone has contributed 20,000,000,000 of the nation's cumulative total output of 31,000,000,000 barrels of petroleum.

Beginning in 1543 with the earliest report by the Spanish of an oil scum on a Texas creek, he tells the story of man's search for this illusive wealth. Through these pages one follows the prospectors drawn by the lure of sudden riches across the plains of Texas, over Indian Territory, through the swamps of Louisiana, and, finally, into the Gulf of Mexico. This is an exciting story. Few events in American annals hold more inherent drama than the struggle against nature which culminated in the

gusher at Spindletop (Texas) in 1901, bringing into production one of the country's major fields. But many problems followed in the path of the successful "wildcatter"—boom towns with their lawlessness of the frontier; the fight for transportation and markets; demand for improved production and refining methods; the perils of overproduction; and, finally, the specter of a future shortage. This account, and especially the final chapter, "The Impact of Petroleum," should go far toward counterbalancing mistrust in the public mind planted by half-remembered accounts of the Standard Oil Company's early malpractices.

The problem of writing for a threefold audience of oilmen, historians and laymen has probably been solved to the satisfaction of all. The book, while obviously authoritative, is well footnoted, profusely illustrated, and includes a good bibliography and index. An appendix gives the annual production of all major fields in the area. While usually avoiding technical terms beyond the knowledge of the average adult reader, a glossary of oilfield words is supplied for his convenience. Those reading for either information or pleasure will find themselves well rewarded.

JOHN S. EZELL.

University of Oklahoma.

Celebration of the Sesquicentennial of the Medical and Chirurgical Faculty of The State of Maryland, 1799-1949. Baltimore: Waverly Press, 1949. V, 67 pp.

This volume consists of A Brief History of the Medical and Chirurgical Faculty of Maryland by the Librarian Emeritus of the Johns Hopkins University, Dr. John C. French; a list of Presidents of the Faculty, 1799-1949, and a list of Fifty-Year Members. From the history we learn that in January, 1799, one hundred and one leaders of the medical profession in Maryland secured from the state legislature a charter for an incorporated society of physicians and surgeons, and that the object was control of medical practice so charlatans would not be able practice on a credulous public.

At this time there was no medical school in Maryland although Dr. Charles Frederick Wiesenthal in 1788 had led in forming the Baltimore Medical Society which planned lectures for medical improvement, from which it was hoped a medical school might be developed. The death of Dr. Wiesenthal in June, 1789, led ultimately to the dissolution of the medical society and abandonment of plans for the medical school.

The act incorporating the Faculty included the right to appoint a Board of examiners which should determine the qualifications of all those who in the future might wish to enter medical practice in Maryland, a function which the Faculty continues to exercise. "The quaint, old-timey name" is believed to have had its origin in the medieval University of Paris. In the original act the names of the incorporators are listed by their county, Annapolis or Baltimore City residences, a total of 105 names. Many of these family names are carried by practitioners of the present.

The account contains brief histories of many of the most prominent members, such as Upton Scott and John Archer. The slim and handsome volume contains portraits of those who have contributed to the growth and development of this institution, pictures of its various homes and the architects drawing of a new building to be erected at the rear of 1211 Cathedral Street, funds for which are now being solicited from the members.

W. R. Dunton, Jr., M. D.

Edmund Pendleton Gaines: Frontier General. By James W. Silver. Baton Rouge: Louisiana State University Press, 1949. xxi, 291 pp. $4.50.

Nearly forgotten in the annals of American military history is the stormy career of General Edmund Pendleton Gaines who commanded the regular forces in the West during the greater part of the years 1821-1842. General Gaines was closely connected with nearly every prominent politician and soldier during his lifetime. His lengthy and bitter feud with Winfield Scott is almost without parallel in Army records.

Mr. Silver views General Gaines as a builder and defender of the nation. The general spent nearly his entire military career on the frontier and as such made a significant contribution to the physical development of the nation. He, for instance, planned a system of military posts extending the entire length of the frontier to epitomize his belief in the Army as the vanguard of civilization. He also contemplated a system of internal improvements which would unite the east with the west and at the same time promote the national security. Mr. Silver, consequently, regards the general as the symbol of the nation's expansion westward.

In writing this very able study of General Gaines, Mr. Silver has rescued him from oblivion. His service in the War of 1812 is reevaluated and his conduct is approved. Other than a typographical error in spelling the general's name on the dust jacket, the biography is well-done. It is to be regretted that the author could not include more personal data on the life of the general, but this material was not available. Nevertheless, this book helps to bridge the gap in our knowledge of the history of the United States Army between the War of 1812 and the Mexican War and to give the Army its proper credit for the development of the West.

Frank F. White, Jr.

Short History of St. David's Protestant Episcopal Church, Roland Park, Baltimore, Maryland, 1907-1947. By W. Calvin Chesnut. [Baltimore: 1949]. 25 pp.

In sketching the history of a church Judge Chesnut has incidentally thrown light upon early conditions and leading actors in the development

of a widely known suburb. It is to be hoped that he will extend his account, for the brevity of which he is apologetic, into a full length account for publication at the fiftieth anniversary of the church in 1957. "Probably the most important factors in the development of any civilization," says the author in conclusion, "are religion and government. The structure and practice of both are of the utmost importance in establishing our form of society and through it the welfare and happiness of its individual members."

A Year With Osler, 1896-1897. Notes taken at this Clinics in The Johns Hopkins Hospital. By JOSEPH H. PRATT. Baltimore: Johns Hopkins Press, 1949. 209 pp. $4.00.

In this attractive little volume Dr. Pratt recalls many of the high lights of a student's contacts with one of the greatest teachers and one of the most princely characters of all medical history. After two years of arduous labor in anatomy, physiology, and other basic studies, the students first came in contact with clinical medicine in their third or junior year. Dr. Osler met them in the dispensary at noon on Tuesdays and Thursdays and on Wednesdays he met both the juniors and seniors in the surgical amphitheatre for the noon hour.

Joe Pratt was a rapid and accurate note-taker and in this book he succeeds in drawing a picture of Dr. Osler and his methods of extracting from the patient a searching history of his past and present family connections and of his deviations from health from infancy to the present, in the meantime making a note on any mental or nervous peculiarities. He depicts Osler's Conan Doyle methods of scrutinizing the patient's physical status as revealed by the diagnostician's use of his five senses.

Since that early day with Osler there have come into universal use various instruments of precision in aiding diagnosis, such as the syphgmotometer and the electro-cardiograph for registering variations in heart and blood vessels, and the X-ray for diagnosis of conditions affecting the deeper tissues and organs. While these newer diagnostic aids are of inestimable value, one often wonders whether certain important features of a complicated case that would be found by the slower and more onerous method of precise history-recording and careful use of the five senses are not overlooked in our short-cut methods of machine diagnosis.

Any one who was in or near Joe Pratt's class (as was this reviewer of his book, in the class of '97) can remember many of these patients of a half-century ago and derive much pleasure in reviewing such thrilling days of investigation. Any physician of today can sharpen his diagnostic ability by carefully perusing those case-histories, although some of the diseases so prevalent then, such as typhoid and malaria, are rarely seen today. Any layman interested in the future welfare of medicine, and particularly any social economist, can profitably read this book. Pratt's description of the students' activities in these clinics deals only with their work in one department, which occupies probably less than one-sixth of their time.

We find that practically all of the 22 men and women in the 1897 class connected themselves with hospitals, in laboratory or clinical teaching, or with State or Federal medical societies in organizational work. Only seven of the class are still living.

Dr. Pratt, now aged 76 years, is cognized as one of the ablest medical men of New England. In 1905 he arted a class made up of dispensary patients for instruction in home tre ent for tuberculosis. This was financed by Dr. Elwood Worcester, or of Emmanuel Church, and it proved so successful that in 1906 . Worcester began a similar dispensary class for group treatment c motional Disorders. In 1930 Dr. Pratt organized a similar class at th New England Medical Centre for helping patients suffering with psyc osomatic disorders. I believe these three organizations mark the very beginning of group health classes for instructing the poor in methods of self-help in serious disease conditions. Dr. Pratt has been Professor of Clinical Medicine in Tufts Medical College since 1929, and the New England Medical Centre and the Joseph H. Pratt Private Hospital are now associated with 26 hospitals in Maine and a number of hospitals in western Massachusetts in a program conducted by The Bingham Association for raising the standards of work done in hospitals far removed from large medical centers.

GUY L. HUNNER.

Indiana Politics during the Civil War. By KENNETH M. STAMPP. (Indiana Historical Collections, Vol. 31.) Indianapolis: Indiana Historical Bureau, 1949. xiii, 300 pp.

Anyone attempting to write the history of American political democracy is at once faced with the realization that many hidden factors make a realistic analysis extremely difficult. As a consequence much of the political history that has been written avoided many of these problems by concentrating merely upon external conditions. Political history, therefore, has tended to revolve essentially around the history of the presidency, the national political platforms, and national issues. The political activities in the states and localities have been relegated to a subordinate position. This, of course, has prevented a full analysis and appreciation of American democracy for its fountainhead is really to be found in these smaller divisions. If we are ever to evaluate fully the development of our peculiar democratic institutions it will be necessary to shift our emphasis toward the production of comprehensive and penetrating studies of state and local political manifestations. This volume is a significant contribution in the direction of such an emphasis.

Professor Stampp's study is admittedly "focused upon the political aspects of Indiana's war experience," but the reader is advised that the term "political" has been interpreted in its "broadest sense." An attempt is made to ascertain the economic attitudes, political affiliations, and sectional alignments of the various groups throughout Indiana. Through a maze

of detail the author skillfully and painstakingly traces the fortunes of the parties in both the state and federal theatres of political action. National developments are not overstressed, however, and are introduced only when necessary to show how they affected or were affected by the state. The national political tensions, the violent discussions centering around the revolutionary changes engendered by the conflict, and the subsequent erection of a new national and a new economic system are shown by the author to be merely broader manifestations of local problems in Indiana, the perfect microcosm.

The author begins his task by discussing adequately the political cleavages which existed in the state during the decade of the fifties. From this point he broadens out into a discussion of the factors at work during the state and national elections of 1860. The election of Lincoln is seen rather dimly reflected against the currents and eddies of the local political, social, and economic attitudes of the Hoosiers. The creation of the Union party in Indiana is handled creditably, and the author has also presented a stimulating non-partisan evaluation of Oliver P. Morton's abolition of constitutional government in 1683 and the erection of his virtual dictatorship. Many partisan historians have denounced Morton for his gross usurpation of authority and others have defended his action on the ground of expediency. It is refreshing to read a dispassionate account of these events.

One of the most interesting and provocative chapters in the study deals with the Indianapolis treason trials and the election of 1864. Professor Stampp's description of the procedure at the trials, the distortion of facts, and the attendant use of this evidence for political purposes, should go far toward showing that the stories of treason and conspiracy were largely spurious. The presentation of the true story of the treason trials should help to deflate the myth of the Conspiracy of '64 and assist the reappraisal of the entire Copperhead movement, which needs to be done.

Professor Stampp writes with an engaging and convincing style, but one must read slowly to keep pace with the wealth of detail as it is unfolded. It is the presence of so much detail which constitutes the only criticism of the book and will make it unpalatable for the general reader. As a study of local politics, however, it does much to show how closely national and state affairs are linked and how the former grows from the latter. The volume is complete with the usual footnotes, bibliography, and index. It might also be noted that sections of the book have appeared previously as articles in historical journals, and that it was originally a doctoral dissertation written at the University of Wisconsin.

WILLIAM ZORNOW.

Case Institute of Technology, Cleveland, Ohio.

The Steam Boat Comes to Norfolk Harbor, and the Log of the First Ten Years. By JOHN C. EMERSON, JR. Privately printed: P. O. Box 112, Portsmouth, Va., 451 pp. $6.00.

In this book about America's primitive steamboats and their relation to Norfolk, Mr. Emerson lets excerpts from Norfolk's old newspapers tell his story. Consequently, his story is an admirably colorful one—the proud little side-wheelers, the men who built, operated and owned them, the people of the port and the port itself come into fascinating focus. Beginning with the *Washington* chuffing into the Harbor in 1815, the excerpts—advertisements placed by shipping firms and hotels, and stories rich with names like James Monroe, General Lafayette, General Winfield Scott, Henry Clay and Stephen Decatur—cover the decade in which the steamboat turned from a novelty into a big business.

To the steamboat enthusiast and to those who find the general period one of interest, $6.00 should not be too much to pay for this paper-backed, lithoprinted-from-a-typescript volume. There is a large appendix, containing steamboat data drawn from various authoritative sources; there is a fine "Steam Boat Index" listing all the ships and ship captains of the era. In addition, there is a convenient front-of-the-book chapter summary and an astonishingly complete general index.

WILLIAM STUMP.

NOTES AND QUERIES

THE BALTIMORE ORIOLE'S NAME[1]

By HERVEY BRACKBILL

Recently I had occasion to compare the statements made in a few well-known bird books concerning the everyday name of the Baltimore Oriole—*Icterus galbula* in scientific terminology—and the way in which that name came to be given to the bird. Some of these statements were printed as legend and others as fact. But whichever the characterization, they differed so greatly and were so contradictory that it was plain not all could be correct. As investigation into other sources then showed that actually none could be correct, it seems worthwhile to point out the impossibilities in them, and at the same time set down what definite information has been found.

Mabel Osgood Wright, in *Birdcraft*, a book first published in 1895 and issued in many subsequent editions, relates as a "tradition" that "has sufficient facts for a foundation to be credible" a story that George Calvert, the first Lord Baltimore, in 1628 explored the Chesapeake Bay

[1] Adapted from "The Vernacular Name of the Baltimore Oriole," *The Wilson Bulletin*, Vol. 61, No. 2, 1949, pp. 108-109.

and on the trip saw " great flocks of Orioles, who so cheered him by their song and colour that he took them as good omens and adopted their colours for his own." Neltje Blanchan, in *Bird Neighbors*, another widely circulated book first published in 1897, tells a similar story as " popular tradition."

Edward Howe Forbush's *Birds of Massachusetts and Other New England States* is one of the most elaborate and respected of all regional bird works. In the second volume of it, published in 1927, he calls attention to Mrs. Wright's account as " history or tradition," and adds: " When, later, Linnaeus first saw the skins of this species he named it the Baltimore Oriole, as it wore the colors of Lord Baltimore." Malcolm MacDonald, a son of the late J. Ramsey MacDonald, Prime Minister of Great Britain, and himself High Commissioner for the United Kingdom in Canada during World War II, gave both of these statements new currency in *The Birds of Brewery Creek*, published in 1947.

Birds of America, an elaborate work edited by T. Gilbert Pearson that was first published in 1917 and has become very popular since its issuance in a low-priced edition in 1936, presents as " often told " fact a story that Cecil Calvert, the second Lord Baltimore, came to Maryland with a company of colonists, and " certain of these colonists sent back to the old country skins of a very beautiful bird which they called an oriole. As is usual with names invented under such circumstances, this one was a misnomer." This book then also says that because of the bird's colors " Linnaeus . . . named it in honor of Lord Baltimore."

The errors and impossibilities in those stories are shown by historical and ornithological works as follows:

An " exemplification," or statement, of the Calvert family coat of arms was issued in England in 1622, and this document, now on display in the library of the Maryland Historical Society, shows that already at that time the colors were " or and Sables "—that is, gold and black. The exemplification is so quoted in, among other publications, *The Calvert Papers, No. 1*, Fund-Publication No. 28 of the Society, issued in 1889 (page 40). George Calvert became the first Lord Baltimore in 1625 [2] and made his visit to Virginia in 1629.[3] Cecil Calvert never visited America.[4]

Thus it is certain that the Baltimore colors were not adopted from the bird, and Cecil has no part in any legend.

That the bird was named after the Baltimore colors is, on the other hand, abundantly clear. But Linnaeus was not, as the bird books quoted say or imply, the first person to so name it. Initially, in his great work on plant and animal classification, Linnaeus himself gave the bird the technical name—he never gave it an " everyday " English one—of *Coracias Galbula*.[5]

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[2] J. Thomas Scharf, *History of Maryland* (Baltimore, 1879), Vol. I, p. 40.

[3] *Ibid.*, p. 47.

[4] Clayton Colman Hall, *The Lords Baltimore and the Maryland Palatinate* (Baltimore, 1902), p. 41.

[5] Linne, Caroli a, *Systema Naturae* (Holmiae, 1758), Ed. 10, Vol. I, p. 108. For access to some of the ornithological works cited in this part of my discussion, at the United States National Museum, and for help in using them, I am greatly

Only in 1766 did he rename it *Oriolus Baltimore*.[6] Already 100 years before that, the colonists in America were calling it "the Baltimore bird."

Nathaniel Shrigley's *A True Relation of Viriginia and Maryland* published in London in 1669,[7] contains a reference to "the Baltenore bird, being black and yellow"—the name there marred by a slight typographical error, "n" for "m"; the Calverts themselves at that period sometimes spelled their title "Baltemore."[8] John Lawson, in *A New Voyage to Carolina*, published in London in 1714,[9] mentions "the Baltimore-Bird, so called from the Lord Baltimore, Proprietor of all Maryland."

Likewise, Mark Catesby, in his *Natural History of Carolina, Florida and the Bahama Islands*, published in London in 1731, called it the "Baltimore Bird" and explained: "It is said to have its name from the Lord Baltimore's coat of arms." And, Linnaeus' work itself indicates, and the American Ornithologists' Union so considers,[10] it was not from any skins—that is, specimens—but from Catesby's book that Linnaeus included the bird in his classification, and from Catesby that he adopted the designation *Baltimore*.

As for the "oriole" part of the present-day venacular name, it was the ornithologists, and not the lay colonists, who made this mistake. To the colonists, the bird was, as shown above, simply the "Baltimore bird." Catesby, however, giving the first naturalist's description of it in Latin, termed it an *icterus*, which was the Latin name for the birds that Europeans later came to call Orioles. Linnaeus, relying on Catesby's description, in 1758 classified it along with the European birds in the genus *Coracias*. Then in 1766, because further study had shown the European orioles to differ in important respects from other birds in that genus, Linnaeus set them apart in the new genus *Oriolus* and included the American birds in this, too. And on down to 1785 *Oriolus Baltimore* stayed strictly a technical name. Only in that year, it seems, was this translated into English as "Baltimore Oriole," by Thomas Pennant in his *Arctic Zoology*.[11] And only after that name had become firmly attached were our birds discovered to be only superficially like the "true" Orioles of other lands.[12]

To sum up, what can be accurately said about the origin of the name "Baltimore Oriole" is that the designation "Baltimore" became attached, because the bird's colors were those of the Calverts, soon after these proprietors began colonizing Maryland (the first colonists landed in

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indebted to Dr. John W. Aldrich and Mr. Allen J. Duvall, of the Fish and Wildlife Service.

[6] *Op. cit.* (Holmiae, 1766), Ed. 12, Vol. I, p. 162.

[7] Reprinted in *Force's Collection of Historical Tracts* (Washington, 1844), Vol. 3, No. 7, p. 4.

[8] *The Calvert Papers*, pp. 229, 267.

[9] Reprinted as *Lawson's History of North Carolina* (Richmond, Va., 1937), p. 152 of reprint.

[10] *Check-List of North American Birds* (Lancaster, Pa., 1931), 4th ed., p. 307.

[11] (London, 1785), Vol. 2, p. 257.

[12] It is because of the differences that the Baltimore Oriole is now placed in the genus *Icterus*, and because Linnaeus' *galbula* was the first species name given to it that that has been reverted to by classificationists.

1634, and Shrigley's *True Relation* shows that in 1669 the name was being used). This designation the ornithologists adopted from the colonists. The ornithologists also for a time regarded the bird as very closely related to the European Orioles, and before they changed their view the term "Oriole" became fixed in everyday usage.

BRICKS *WERE* IMPORTED

A deep-rooted tradition that bricks were imported to early America has often been denied by historians who have found the records of the molding, burning and sale of native brick. However, the customs impos' books for the Port of Baltimore, of which a few are preserved at the National Archives, Washington, reveal entries for brick of which the following are samples:

Date	*Vessel*	*Where From*	*Declaration*
August 28, 1783	Ship Conte du Nord	Brest	20,000 bricks
Sept. 24	" Mary & Ann	Liverpool	6,000 "
Nov. 7	" Intrepid	Amsterdam	30,000 "
Nov. 12	Brig Polly Smith	"	10,000 "
Dec. 26	" Rodney	Liverpool	5,000 "
April 7, 1784	Ship America	Bremen	30,000 "
April 14	Brig Margaretta Dorathea	Philadelphia	34,000 "

This list can be extended. While the total quantities were hardly enough to affect the face of Maryland architecture, it is evident that brick, like "stone coal," was used as ballast for ocean-going ships. One incoming vessel was listed as containing nothing but "ballast." The validity of the old legend about imported brick is thus affirmed.

CHARLES E. PETERSON.

PARKER PRIZE FOR GENEALOGY

Manuscripts to be entered in the Dudrea and Sumner Parker Genealogical Contest for 1949 should reach the Society not later than December 31. Entries will be judged on their accuracy, completeness and arrangement. All manuscripts should be typed and addressed: Parker Genealogical Contest, Maryland Historical Society, 201 W. Monument Street.

This award is made annually for the best account of a Maryland family. It was set up in 1946 by Mrs. Sumner A. Parker in memory of her late husband, with the object of promoting the study of Maryland family pedigrees and making the results accessible through the Library of the Society. All manuscripts submitted will become the property of the Society. The judges, to be selected by the Society, will determine whether one or more cash prizes are to be awarded. The fund available for prizes this year amounts to $100, which will be awarded in accordance with the advice of the judges.

Announcement—The Institute of Early American History and Culture announces that it is prepared to provide a limited number of Grants-in-Aid of Research to individual writers or scholars who are carrying on studies in the field of American History prior to the year 1815. For encouragement of projects, *already in progress*, in the social, political, economic, religious, artistic and intellectual history of the American Colonies and of the Early Republic, the Institute is ready to make Grants varying in value according to the needs of the individual. Early application for the Grants will be advantageous; candidates must file their applications not later than March 15, 1950. Application forms and other information may be obtained from the Director, Institute of Early American History and Culture, Goodwin Building, Williamsburg, Virginia.

Tilghman–Fairbairn—Information is wanted regarding the ancestry of Mary Huston Fairbairn of Baltimore, b. about 1820; married Samuel Ogle Tilghman, b. 1816, son of John Lloyd Tilghman; resided Queen Anne's Co., Md. (Bennetts Pt.?) 3 children were: (1) 1842, Maria Elizabeth, m. Richard Earle Davidson and their 2 sons married daughters of Mary Edwardine Bourke Emory; (2) 1849, Anne Rideout, m. Truman Slingluff; (3) 1851, Samuel Ogle Jr., m. Virginia Brewer and 2nd, Alice Higgins. Any Fairbairn data of Md. requested.

R. G. Smith,
2904 13th St. South, Arlington, Va.

Hall; Tucker—Wanted: Ancestors of Robert Hall; married daughter of Adam Spence; died 1740 Somerset County, Md. Ancestors and wife of William Tucker; born about 1724; settled Eastern Shore Md. about 1740; died in Delaware; related to Bermuda Tuckers.

Eldon B. Tucker, Jr., M. D.
617 Grand St., Morgantown, W. Va.

CONTRIBUTORS

Rev. Nelson W. Rightmyer, Chairman of the Graduate Department of the Divinity School of the Episcopal Church, Philadelphia, Pa., is the author of the recently published study, *The Anglican Church in Delaware.* ☆ Mr. Johnson is an instructor in history at the University of Maryland and a canditate for the doctorate at Northwestern University. ☆ Both Mr. Tilghman, who is a member of the English Department at V. P. I., and Dr. Forman, who is Head of the Art Department at Agnes Scott College, have been occasional contributors to the Magazine.

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Of Maryland Historical Magazine, published quarterly at Baltimore 1, Maryland, for October, 1948.

State of Maryland, City of Baltimore, ss.

Before me, a Notary Public, in and for the State and county aforesaid, personally appeared James W. Foster, who, having been duly sworn according to law, deposes and says that he is the Editor of the Maryland Historical Magazine, and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management (and if a daily paper, the circulation), etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, as amended by the Act of March 3, 1933, embodied in section 537, Postal Laws and Regulations, printed on the reverse of this form, to wit:

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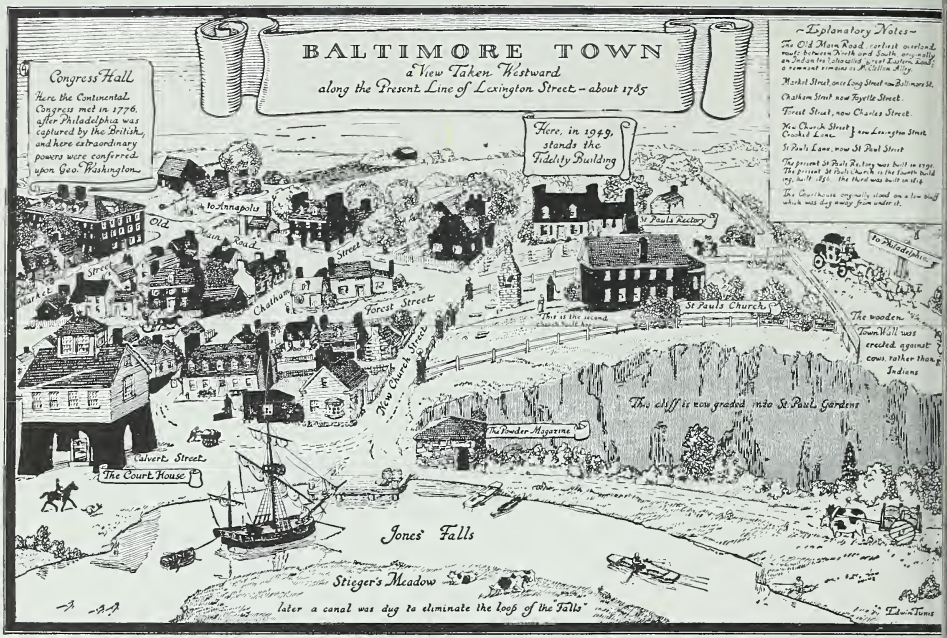
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a View Taken Westward
along the Present Line of Lexington Street – about 1785
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St Paul's Church
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